

CHAPTER 33
AGRICULTURAL FAIRS

Authority

N.J.S.A. 5:8-121 et seq.

Source and Effective Date

R.2004 d.455, effective November 10, 2004.
See: 36 N.J.R. 3325(a), 36 N.J.R. 5335(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 33, Agricultural Fairs, expires on May 9, 2010. See: 41 N.J.R. 1549(a).

Chapter Historical Note

Chapter 33, Agricultural Fairs, was adopted as R.1974 d.254, effective September 19, 1974. See: 6 N.J.R. 294(b), 6 N.J.R. 386(a).

Chapter 33, Agricultural Fairs, was repealed and Chapter 33, Agricultural Fairs, was adopted as new rules by R.1989 d.129, effective March 6, 1989. See: 20 N.J.R. 2954(a), 21 N.J.R. 633(b). Pursuant to Executive Order No. 66(1978), Chapter 33 expired on March 6, 1994.

Chapter 33, Agricultural Fairs, was adopted as new rules by R.1995 d.226, effective May 1, 1995. See: 27 N.J.R. 610(a), 27 N.J.R. 1791(a).

Pursuant to Executive Order No. 66(1978), Chapter 33, Agricultural Fairs, was readopted as R.1999 d.278, effective July 23, 1999. See: 31 N.J.R. 1404(a), 31 N.J.R. 2328(a).

Chapter 33, Agricultural Fairs, was readopted as R.2004 d.455, effective November 10, 2004. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

2:33-1.1 Agricultural fairs: qualifications

(a) Each person, corporation or association certified as an "Official Agricultural Fair" shall hold an agricultural exhibition, whose primary purpose is the development and promotion of several, or many, phases of agriculture or agribusiness in and of that county, by conducting educational programs, activities, demonstrations, contests and exhibitions.

(b) In addition to the requirements of (a) above, the fairs shall conduct two activities related to the following:

1. Manufacturing, commerce and industry;
2. Community development and improvement;
3. Promotion of products and services;

4. Public service events and projects;
5. County interest projects;
6. Cultural works and collections of art;
7. Any activity approved by the entire association for the benefit of the community; and/or
8. Recreational activities.

(c) No person, corporation or association shall operate a fair or exhibition in any county under the designation "Official Agricultural Fair" without obtaining a certificate to operate from the New Jersey Department of Agriculture.

2:33-1.2 Responsibilities of certified fair

(a) Each person, corporation or association certified as an "Official Agricultural Fair" shall:

1. Furnish annually a detailed fair status report on forms prescribed by the Department of Agriculture (see Appendix incorporated herein by reference);
2. Comply with all county and municipal health, fire, police and sanitation regulations; and
3. Furnish on request, a copy of the annual fair audit report in the event State funds are made available to the Official Agricultural Fair.

(b) The New Jersey Secretary of Agriculture, or his or her designee, may enter the premises of any "Official Agricultural Fair" at reasonable times to determine compliance with this chapter.

Amended by R.1999 d.278, effective August 16, 1999.
See: 31 N.J.R. 1404(a), 31 N.J.R. 2328(a).

In (a)3, added "in the event State funds are made available to the Official Agricultural Fair" at the end.

2:33-1.3 Procedure for certification

(a) To receive certification as an "Official Agricultural Fair," all applicants must annually file their proposals with the Department of Agriculture by September 1 of the year preceding the one in which the fair is to be held. A copy shall be submitted to the County Board of Agriculture for its comment.

(b) The County Board of Agriculture shall submit any comments concerning the application to the Department of Agriculture on or before November 1 of the year preceding the fair.

(c) After consideration of the proposal, and any comments submitted by the County Board of Agriculture, the State Board of Agriculture shall either deny or approve certification of any proposed "Official Agricultural Fair", in accordance with the qualifications listed in N.J.A.C. 2:33-1.1(a) and (b).

(d) In order to become eligible for certification as an "Official Agricultural Fair," new applicants are required to produce the event for one year in compliance with this chapter. An appointee of the Secretary of Agriculture shall evaluate the fair for compliance with this chapter. If a fair receives a positive evaluation, it shall be eligible to apply for certification for the following year, pursuant to this chapter.

Amended by R.1999 d.278, effective August 16, 1999.
See: 31 N.J.R. 1404(a), 31 N.J.R. 2328(a).
Added (d).

2:33-1.4 Distribution of funds

(a) If State funding for the Agricultural Fairs is available, the distribution of such funds shall be made as follows:

1. Each "Official Agricultural Fair" shall receive an equal amount to be determined by the New Jersey Department of Agriculture depending on the total funds available. Any remaining funds shall be distributed proportionately to the amount of square footage devoted to agriculture at the event.

New Rule, R.1999 d.278, effective August 16, 1999.
See: 31 N.J.R. 1404(a), 31 N.J.R. 2328(a).

APPENDIX

Date _____
NEW JERSEY AGRICULTURAL FAIR
REPORT 19__
Name of Fair _____
Date Held _____
Estimated Attendance _____

IMPORTANT: LIST ALL FEATURES/EVENTS WHICH IDENTIFY THIS AS AN AGRICULTURAL FAIR:

LIVESTOCK: PLEASE COUNT EACH ANIMAL

Beef _____ Horses _____ Poultry _____
Goats _____ Dairy _____ Swine _____
Rabbits _____ Sheep _____ Other _____

FAIRGROUNDS:

Owned by Fair Association _____
Leased _____ From _____
Other (Specify) _____
Acres Total _____
Acres Used for Parking _____

ORGANIZATION:

Is your Fair Association organized as a Non-Profit Corporation?
Yes ___ No ___
If not, give organization _____

Accounts Audited Annually Yes ___ No ___
List Names and Addresses of Officers

Return this form to:
New Jersey Department of Agriculture
PO Box 330
Trenton, New Jersey 08625-0330
Attn: Lynn Mathews

Amended by R.1999 d.278, effective August 16, 1999.
See: 31 N.J.R. 1404(a), 31 N.J.R. 2328(a).