

recipient of funds must certify that all information provided is true, accurate, and complete.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without change. These rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1, these rules are readopted and shall continue in effect for a seven-year period.

(a)

DIVISION OF MARKETING AND DEVELOPMENT

Notice of Readoption

Agricultural Fairs

Readoption: N.J.A.C. 2:33

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

Authorized By: The State Board of Agriculture and Joseph Atchison III, Assistant Secretary, Department of Agriculture.

Effective Date: October 2, 2023.

New Expiration Date: October 2, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:33 were scheduled to expire on April 17, 2024.

In accordance with N.J.S.A. 5:8-121, the State Board of Agriculture may provide for agricultural fairs and exhibitions.

N.J.A.C. 2:33-1.1(a) requires each "Official Agricultural Fair" to hold, at one site, an agricultural exhibit for the promotion and development of agriculture or agribusiness in and of that county. N.J.A.C. 2:33-1.1(b) requires that the fairs conduct at least two additional activities related to manufacturing, commerce, and industry; community development and improvement; promotion of products and services; public service events and projects; county interest projects; cultural works and collections of art; other activities for the benefit of the community; and/or recreational activities. N.J.A.C. 2:33-1.1(c) requires each "Official Agricultural Fair" to obtain certification from the Department of Agriculture (Department) as a condition of operation.

Additionally, N.J.A.C. 2:33-1.2(a) requires each certified "Official Agricultural Fair" to furnish a detailed fair status report to the Department of Agriculture, and to comply with all governmental health, fire, and police regulations, and requires each certified fair to furnish, on request, a copy of the fair audit report in the event State funds are made available to the fair. N.J.A.C. 2:33-1.2(b) authorizes access to the fair premises by the Department of Agriculture to determine compliance with this chapter.

N.J.A.C. 2:33-1.3(a) requires applicants for "Official Agricultural Fair" certification to file their proposal to the Department by September 1 of the year preceding the year in which the fair is to be held. It also requires a copy be submitted to the county board of agriculture for comment. N.J.A.C. 2:33-1.3(b) requires the county board of agriculture to submit comments to the Department on such proposal by November 1 of the preceding year. N.J.A.C. 2:33-1.3(c) requires the State Board of Agriculture to approve or deny certification after consideration of the proposal and comments from the county board of agriculture. N.J.A.C. 2:33-1.3(d) requires new applicants to produce the event for one year in compliance with this chapter, and further provides that the fair will be eligible for certification the following year after receiving a positive evaluation from a person appointed by the Secretary of Agriculture to make such evaluation.

Finally, N.J.A.C. 2:33-1.4(a) creates a method for distribution of funds in the event that State funding is available for the "Official Agricultural Fairs." However, the last year that any such fairs received State funding was 1990.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without change. These rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1, these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF MARKETING AND DEVELOPMENT

Notice of Readoption

Equine Advisory Board

Readoption with a Technical Change: N.J.A.C. 2:34

Authority: N.J.S.A. 5:5-88.

Authorized By: The State Board of Agriculture and Joseph Atchison III, Assistant Secretary, Department of Agriculture.

Effective Dates: October 2, 2023, Readoption;
November 6, 2023, Technical Change.

New Expiration Date: October 2, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:34 were scheduled to expire on March 22, 2024.

These rules are a compilation of the procedures used to regulate the non-racing breeder award program and the New Jersey Bred All Breed Horse Show. The purpose of these rules is to provide definitions of eligibility, classes, fees, and procedures for the determination of awards from equine promotion monies collected pursuant to N.J.S.A. 5:5-88.

These rules set forth the qualifications for year-end non-racing breeder awards, including the number of show entries required for eligibility. These rules also set forth the provisions for conduct of the New Jersey Bred All Breed Horse Show, including payment of registration fees, Coggins test reporting, compliance with National Association rules, requirements for receiving prize money, and the conduct of appeals.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted with one technical change, to delete the name "Alfred Murray" set forth at N.J.A.C. 2:34-2.2(b)1, who is identified as "Director, Division of Marketing and Development," as he has retired from his employment with the Department of Agriculture. These rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1, these rules are readopted and shall continue in effect for a seven-year period.

Full text of the technical change follows (deletion indicated in brackets [thus]):

SUBCHAPTER 2. EQUINE ADVISORY BOARD RULES

2:34-2.2 Conduct of the New Jersey Bred All Breed Horse Show and designated breed shows

(a) (No change.)

(b) Any person who wishes to appeal any provisions of this section shall do so within 20 days of the horse show date or within 20 days of notification to owners of a decision. Such person shall, upon written request transmitted to the Department, be afforded the opportunity for a hearing thereon in the manner provided for contested cases pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

1. Requests for hearings shall be sent to [Alfred Murray,] Director, Division of Marketing and Development, N.J. Department of Agriculture, PO Box 330, Trenton, New Jersey 08625-0330.

2. (No change.)

(c)

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Notice of Readoption

State Agriculture Development Committee Rules

Readoption: N.J.A.C. 2:76-1 through 24

Authority: N.J.S.A. 4:1C-5f.

Authorized By: Susan E. Payne, Executive Director.

Effective Date: October 2, 2023.