

SECTION .0500 - WITCHWEED

02 NCAC 48A .0501 DEFINITIONS

For the purpose of this Section, the following shall apply:

- (1) Certificate. A document issued or authorized to be issued by an inspector to allow the movement of regulated articles to any destination;
- (2) Compliance Agreement. A written agreement between an individual, or concern engaged in growing, dealing in, or moving regulated articles and the North Carolina Department of Agriculture, Plant Industry Division, wherein the former agrees to comply with conditions specified in the agreement to prevent the dissemination of the witchweed;
- (3) Exempt Area. Any part of a regulated area which is exempt from these Regulations except where the soil is disturbed at a depth greater than 30 inches;
- (4) Exemptions. Conditions contained in these Regulations which provide for modifications in conditions of movement of regulated articles from regulated areas under specified conditions;
- (5) Infestation. The presence of the witchweed or the existence of circumstances that make it reasonable to believe that witchweed is present;
- (6) Inspector. Any authorized employee of the North Carolina Department of Agriculture, Plant Industry Division, or any other person authorized by the Commissioner of Agriculture to enforce the provisions of this quarantine and regulations;
- (7) Generally Infested Area. Any part of a regulated area not designated as an exempt or suppressive area;
- (8) Mechanized Cultivating Equipment and Mechanized Soil-Moving Equipment. Mechanized equipment used for cultivating purposes--e.g., turning or disc plows; or to move or transport soil--e.g., draglines, bulldozers, road scrapers and dump trucks;
- (9) Permit. A document issued or authorized to be issued by an inspector to allow the movement of noncertified regulated articles to a specified destination for particular handling, utilization, or processing, or for treatment;
- (10) Pest. The parasitic plant known as the witchweed (*Striga* spp.) in any stage of development;
- (11) Regulated Area. Any counties or parts of counties in the State of North Carolina listed or provided for in these Regulations;
- (12) Soil. Soil shall be considered that part of the upper layer of earth in which plants can grow (includes subsoil down to parent material);
- (13) Suppressive Area. That part of a regulated area where eradication of infestation is undertaken as an objective.

History Note: Authority G.S. 106-65.45; 106-65.46; 106-284.18; 106-420;
Eff. January 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 24, 2019.