

SECTION .0700 - IMPORTED FIRE ANT

02 NCAC 48A .0701 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 imported fire ant;
- (3) Exemptions. Conditions contained in these Regulations which provide for modifications in conditions of movement of regulated articles from regulated areas under specified conditions;
- (4) Infestation. The presence of the imported fire ant or the existence of circumstances that make it reasonable to believe that the imported fire ant is present;
- (5) 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;
- (6) Mechanized Soil-Moving Equipment. Mechanical equipment used to move or transport soil--e.g., draglines, bulldozers, road scrapers, and dump trucks;
- (7) 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;
- (8) Pest. The insect known as the imported fire ant (*Solenopsis invicta* Buren, *Solenopsis richteri* Forel) in any stage of development;
- (9) Regulated Area. Any counties or parts of counties in the State of North Carolina listed or provided for in these Regulations.
- (10) Soil. Soil shall be considered as that part of the upper layer of earth in which plants can grow.

*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.*