

SECTION .0300 - EXTERIOR PESTS

02 NCAC 48A .0301 DEFINITIONS

For the purpose of this Section the following words and terms shall be construed respectively to mean:

- (1) Compliance Agreement. A written agreement between an individual or concern 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 establishment or dissemination of an exterior pest;
- (2) Exterior Agency. Any governmental unit having authority under the law to quarantine or regulate plant pests. Such units shall include the federal government agencies, states and foreign countries;
- (3) Exterior Pest. Any plant pest in any stage of development that is under quarantine or regulated by an exterior agency that is not known to be established or has recently been found established in North Carolina, or any plant pest not known to be under such regulation, but which available information indicates to be a potentially serious plant pest in North Carolina;
- (4) 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 supplemental thereto;
- (5) Regulated Article. Any object, article, product, or commodity which meets one or more of the following criteria:
 - (a) Is designated as a regulated article by an exterior agency;
 - (b) Is found infested with an exterior pest;
 - (c) Is susceptible to infestation and has been exposed or which an inspector has reasonable ground to believe has been exposed to an exterior pest;
 - (d) Is an exterior pest;
 - (e) The Plant Pest Administrator has reasonable ground to believe to be infested with or transporting an exterior pest;
- (6) Exterior Pest Quarantine. Any exterior pest or exterior regulated article now or hereafter determined to be within the State of North Carolina is hereby placed under quarantine.

*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.*