

SECTION .1700 - STATE NOXIOUS WEEDS

02 NCAC 48A .1701 DEFINITIONS

The following definitions shall apply to this Section:

- (1) Administrator. The Plant Pest Administrator of the North Carolina Department of Agriculture and Consumer Services, Plant Industry Division;
- (2) Board. The North Carolina Board of Agriculture;
- (3) Certificate. A document issued by a specialist to allow the movement of noncontaminated regulated articles to any destination;
- (4) Class A. Any noxious weed on the Federal Noxious Weed List or any noxious weed that is not native to the state, not currently known to occur in the state, and poses a threat to the state;
- (5) Class B. Any noxious weed that is not native to the state, is present in fewer than 20 counties statewide, and poses a threat to the state;
- (6) Class C. Any noxious weed not meeting the definition of a Class A or Class B noxious weed for which the Commissioner has determined that eradication is not feasible;
- (7) Commissioner. The Commissioner of the North Carolina Department of Agriculture and Consumer Services or his authorized representative;
- (8) Compliance Agreement. A written agreement between a person engaged in growing, handling, or moving regulated articles, and the North Carolina Department of Agriculture and Consumer Services, Plant Industry Division;
- (9) Infestation. The presence of a noxious weed in any stage of development;
- (10) Noxious Weed. Any plant in any stage of development, including parasitic plants whose presence whether direct or indirect, is detrimental to crops or other desirable plants, livestock, land, or other property, or is injurious to the public health;
- (11) Limited Permit. A document issued by a specialist to allow the movement of noncertified regulated articles to a specified destination for special handling, utilization, or processing, or for treatment;
- (12) Regulated Article. Any noxious weed or any article described in this Section which is capable of carrying a noxious weed;
- (13) Regulated Area. Any state or territory or any portion thereof of the United States described in this Section which is infested with a noxious weed;
- (14) Scientific Permit. A document issued by the Administrator to authorize the movement of regulated articles to a specified destination for scientific purposes;
- (15) Specialist. Any authorized employee of the North Carolina Department of Agriculture and Consumer Services, Plant Industry Division, or any other person authorized by the Commissioner of Agriculture to enforce the provisions of this Section.

History Note: Authority G.S. 106-420;
Eff. December 1, 1991;
Amended Eff. January 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 24, 2019.