



Steve Troxler
Commissioner

North Carolina Department of Agriculture and Consumer Services

To: Members of the Joint Legislative Commission on Governmental Operations
Fiscal Research Division

From: North Carolina Department of Agriculture and Consumer Services/N.C. Board of
Agriculture (Derek Wagner – Admin. Assistant)

Date: July 20, 2017

Subject: Request for Consultation (02 NCAC 37 .0202)

Background

Pursuant to G.S. 12-3.1, the North Carolina Department of Agriculture and Consumer Services is writing to request consultation with the Joint Legislative Commission on Governmental Operations to increase the basic fee for heavy metal analysis from \$10 to \$20 and add a bulk density test for a fee of \$10.

Explanation

Currently, the Agronomic Division offers a heavy metals analysis for waste samples for a fee of \$10. This analysis consists of testing for nickel, cadmium and lead. The rule amendment adds arsenic, selenium and chromium to the list of heavy metals tested for and increases the fee to \$20. The statutory authority for the fee can be found under G.S. 106-22(17). The \$10 increase in the amount of fee charged reflects the addition of the heavy metals tested. Striking the waste designation allows the Agronomics Division to provide heavy metals analysis for plant, solution and media samples as well. The second change strikes the plant designation for molybdenum so that this service can be offered for other sample types.

In addition, the rule amendment establishes a test for bulk density for compost and media samples and sets a \$10 fee for this service. The statutory authority for this fee is also found under G.S. 106-22(17). Bulk density is regularly requested by compost producers. Also, nursery growers who sell plants across the quarantine line for fire ants need to know the bulk density of potting media to determine the correct rate. This fee would cover the cost of such testing.

Conclusion

This fee increase from \$10 to \$20 and the addition of the \$10 bulk density testing will generate approximately \$1,000 in new receipts.