



# AGRICULTURE

Year Ending June 30, 2008					Year Ending June 30, 2010			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended		2009 Adjusted Approp.	Requested	Recommended
					<b>GRANTS-IN-AID - GENERAL FUND</b>			
					<b>Agricultural Resources, Planning, and Regulation</b>			
800	1,340	34	2,174	962	Agriculture and Natural Resources	---	---	---
4,000	---	---	4,000	4,000	Food and Nutrition Services	4,000	6,000	6,000
75	---	90	165	165	Marketing and Development Services	50	---	---
300	---	784	1,084	1,084	Farmland Preservation	---	---	---
<i>5,175</i>	<i>1,340</i>	<i>908</i>	<i>7,423</i>	<i>6,211</i>	<i>Subtotal</i>	<i>4,050</i>	<i>6,000</i>	<i>6,000</i>
<i>5,175</i>	<i>1,340</i>	<i>908</i>	<i>7,423</i>	<i>6,211</i>	<i>Total Grants-In-Aid - General Fund</i>	<i>4,050</i>	<i>6,000</i>	<i>6,000</i>
<i>5,175</i>	<i>1,340</i>	<i>908</i>	<i>7,423</i>	<i>6,211</i>	<i>TOTAL GRANTS-IN-AID</i>	<i>4,050</i>	<i>6,000</i>	<i>6,000</i>
					<b>STATE AID - GENERAL FUND</b>			
					<b>Agricultural Resources, Planning, and Regulation</b>			
11,677	3,162	---	14,839	10,919	Food and Nutrition Services	10,823	11,498	11,498
50	---	---	50	50	Farmland Preservation	50	50	50
<i>11,727</i>	<i>3,162</i>	<i>---</i>	<i>14,889</i>	<i>10,969</i>	<i>Subtotal</i>	<i>10,873</i>	<i>11,548</i>	<i>11,548</i>
<i>11,727</i>	<i>3,162</i>	<i>---</i>	<i>14,889</i>	<i>10,969</i>	<i>Total State Aid - General Fund</i>	<i>10,873</i>	<i>11,548</i>	<i>11,548</i>
<i>11,727</i>	<i>3,162</i>	<i>---</i>	<i>14,889</i>	<i>10,969</i>	<i>TOTAL STATE AID</i>	<i>10,873</i>	<i>11,548</i>	<i>11,548</i>
					<b>CAPITAL CONSTRUCTION</b>			
					<b>Agricultural Resources, Planning, and Regulation</b>			
250	7	---	257	248	Plant Pest and Disease Control	---	---	---
---	991	---	991	---	Agriculture and Natural Resources	---	---	---
---	801	---	801	801	Farmland Preservation	---	---	---
<i>250</i>	<i>1,799</i>	<i>---</i>	<i>2,049</i>	<i>1,049</i>	<i>Subtotal</i>	<i>---</i>	<i>---</i>	<i>---</i>
<i>250</i>	<i>1,799</i>	<i>---</i>	<i>2,049</i>	<i>1,049</i>	<i>TOTAL CAPITAL CONSTRUCTION</i>	<i>---</i>	<i>---</i>	<i>---</i>
<i>26,390</i>	<i>10,196</i>	<i>1,082</i>	<i>37,668</i>	<i>30,248</i>	<i>Total Appropriation, Department of Agriculture</i>	<i>22,463</i>	<i>24,629</i>	<i>24,629</i>

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 49. AGRICULTURAL RESOURCES, PLANNING, AND REGULATION

#### OBJECTIVES

1. Permanently preserve and retain the maximum amount of New Jersey farmland in order to maintain a viable agriculture and food industry and to promote smart growth and a high quality of life for New Jersey citizens.
2. To encourage and support stewardship of agricultural open land and other natural resources in order to protect and enhance fertile soils, clean water, and productive and healthy animal and plant resources.
3. To administer fair and effective regulatory, inspection, grading, and other quality assurance programs for food, agricultural products, and agricultural inputs.
4. To foster agricultural economic growth, profitability, and a positive business climate through technical and financial assistance, market development, and effective product and industry promotion.
5. To implement food and nutrition assistance programs to maximize participation of eligible New Jersey citizens and strengthen agriculture's relationship with the food industry.
6. To ensure the sustainability of New Jersey's agricultural industry through agricultural education, youth development, training opportunities, and successful communication with the agricultural community, general public, and all levels of government.
7. To produce quality in all the Department does through a diverse, effectively managed, highly trained, and committed staff supported by efficient use of available technology and resources in a work environment that fosters excellence.

#### PROGRAM CLASSIFICATIONS

01. **Animal Disease Control.** Resident and imported animals are subject to Department programs of disease detection, control, and eradication. These include surveys, periodic inspections, regular and special field and laboratory examinations,

quarantines, slaughter of certain animals, disinfection, and related epidemiology. Programs and regulations are adjusted based on changes in the appearance and virulence of disease in and out of the State. The program sets standards and issues licenses to livestock dealers, auctions, and biologic manufacturers and distributors in order to reduce the spread of infection. To prevent the introduction of exotic diseases not known to this country, it participates in the United States Department of Agriculture's (USDA) National Emergency Animal Disease Eradication Program. One phase involved is the licensing and supervision of the processing of food wastes fed to swine to prevent food borne disease. The program takes the lead in working with the State's Domestic Security Taskforce in identifying potential terrorism threats related to the State's agricultural and agribusiness sectors.

In addition, the Division of Animal Health operates an animal health diagnostic laboratory to identify causes of disease.

02. **Plant Pest and Disease Control.** The food crop, forests, and other plant resources of the State are protected against injurious plant insects and diseases by programs of the Department. Surveys and investigations are conducted regularly to delineate and measure insect populations and disease problems. Major infestations are countered with carefully regulated chemical and/or biological control programs. Where beneficial insects or other parasites are known, the Department, through its beneficial insect rearing laboratory, mass produces and releases them into the agricultural or forest environment for pest control.

In cooperation with the USDA, the Department controls the movement of plant materials. All nurseries producing plant materials are inspected for pests and disease and must be free of both to qualify for certification.

Samples of agricultural and garden seed are randomly selected and tested for variety content, germination, and other labeled guarantees. Products which do not conform to label claims are removed from sale and violators are subject to penalty action and prosecution.

03. **Agriculture and Natural Resources.** This program is designed to maintain, conserve, and enhance New Jersey's rural and agricultural resources and to control erosion, sedimentation, and nonpoint sources of water pollution and storm water damage. The primary objective of this program is to improve agricultural productivity and New Jersey's agricultural business climate while maintaining environmental quality.

Soil and water resource management standards and regulations are promulgated and plans for soil erosion and sediment control are certified for land disturbance activities. Technical assistance is provided to landowners and public agencies through the State Soil Conservation Committee and local soil conservation districts. Cost sharing is provided to eligible farmland owners who install conservation systems.

The Division coordinates the implementation of the State's Aquaculture Development Act and coordinates the agricultural education and Future Farmers of America youth programs.

05. **Food and Nutrition Services.** This division, which consolidated the former Bureaus of Commodity Distribution and Child Nutrition Services, was created to more accurately reflect the mission of the organizational unit.

The Child Nutrition program consists of six components in public and non-public schools, residential and non-residential childcare institutions, day care centers, recreation centers, and other agencies that qualify for this aid. Program

responsibilities include developing, disseminating, evaluating, and approving all pertinent program documents required for participation; providing technical assistance in the areas of implementation, facilities improvement, and food service methods; on-site monitoring of programs for compliance with State and federal regulations; and providing financial assistance.

State and federal reimbursements are paid to school districts for part of the cost of school lunches and State and federal funds are paid to offset part of the cost of school breakfasts. In addition, non-school programs receive federal foods, especially for disadvantaged children.

The Commodity Distribution program receives, handles, stores, and distributes federal surplus food made available by the United States Department of Agriculture to State, county and municipal institutions, schools, charitable, and welfare organizations, and needy individuals. It also processes some of the federally-donated basic food commodities. Inspections are made in all organizations and institutions for compliance.

The Emergency Food Assistance Program (TEFAP) distributes federally-donated food commodities to needy citizens through a network of food centers, food banks, and food pantries.

06. **Marketing and Development Services.** This division, formerly the Division of Markets, was renamed to accurately reflect its intent. The program conducts advertising, market development, and promotional activities to create a positive image of New Jersey's agricultural products and to increase consumer awareness and sales.

The "Jersey Fresh" Program, aimed at domestic and foreign consumers, assists New Jersey farmers in expanding their market share. Individual product promotions are also conducted by eight agricultural commodity councils.

Programs for the promotion of the New Jersey horse industry are conducted with funds derived from a small percentage of the pari-mutuel handle at both the thoroughbred and standard bred racetracks. Growth of the horse breeding industry is encouraged through monies awarded in the form of stakes purses and breeders' awards. The continued growth and expansion of the Horse Park of New Jersey is supported.

This program also contains the Agricultural Chemistry Program, which determines compliance with the stated contents of animal feeds, fertilizers, and liming materials offered for sale for farm and non-farm use. Random inspections and analyses of raw material commodities and animal feeds are conducted to determine the presence of natural and anthropogenic contaminants and adulterants.

Through on-site inspections at agribusiness plants, consumers are assured a supply of the highest quality fresh fruits and vegetables, fish, shell eggs, egg, and poultry products. Official inspection and grading services are provided to farmers, packers, processors, and wholesale and retail markets under formal agreements with the United States Departments of Agriculture and Commerce.

The Dairy program is responsible for fostering a stable and competitive dairy industry, including the regulation and enforcement of the production, processing, distribution, and sales of fluid dairy products. In addition, this program licenses dealers who purchase milk from New Jersey farmers or who sell fluid dairy products to other dealers and to retail outlets. In order to be licensed, the dealers must post a bond with the Secretary of Agriculture conditioned upon the payment of all amounts due and owing to New Jersey farmers.

# AGRICULTURE

**08. Farmland Preservation.** The State Agriculture Development Committee (SADC) administers New Jersey's Farmland Preservation Program.

The Farmland Preservation Program compensates farm owners for their development rights if their deeds restrict their farms against future development. The terms of these deed restrictions can be permanent or for as short a period as eight years. Future owners of permanently preserved farms must comply with all deed restrictions.

The SADC also coordinates a variety of programs with participating counties and farmland owners to protect important farmland in sufficient quantity and quality to foster long-term agricultural viability. It is also charged with specific right-to-farm responsibilities relating to agriculture.

**99. Administration and Support Services.** The State Board of

Agriculture consists of eight farmers, elected at the annual Agricultural Convention. The Board is empowered to establish programs, regulations, and policies that it deems essential. The Secretary of Agriculture serves as Secretary to the Board and Chief Executive of the Department, and is a member of the Governor's Cabinet. The Secretary is responsible for implementing State laws, regulations, and policies established by the Board of Agriculture.

The Secretary's office provides overall planning, coordination, and priority guidance for Department programs, policy and plan development, general hearing services, agricultural information services, and executive and legislative liaison. Department-wide general administrative services are provided, including services related to personnel and employee relations, fiscal control, management systems, and other administrative functions.

## EVALUATION DATA

	Actual FY 2007	Actual FY 2008	Revised FY 2009	Budget Estimate FY 2010
<b>PROGRAM DATA</b>				
<b>Animal Disease and Plant Pest and Disease Control</b>				
Animal Disease Control:				
Regulatory licenses	645	645	645	645
General, special, and other laboratory exams	48,000	48,000	48,000	48,000
Plant Pest and Disease Control:				
Nurseries and dealers certified free of plant pests	1,739	1,800	1,800	1,790
Nursery acreage certified free of plant pests	20,000	20,000	20,000	19,500
Bee colonies found disease free	97%	95%	98%	98%
Seed meeting truth in labeling requirements	95%	95%	95%	95%
Pesticide not applied (lbs.)	1,280,000	1,280,000	1,280,000	1,280,000
Forest and crop acreage stabilized biologically	992,000	992,000	992,000	992,000
Forested acres protected from gypsy moth infestations	40,000	80,000	80,000	80,000
Major exotic insect and plant disease field surveys	9	9	9	9
<b>Agriculture and Natural Resources</b>				
Aquaculture production (lbs.)	44,000,000	44,000,000	44,000,000	44,000,000
Soil and Water Conservation Programs:				
Land protected from soil erosion and sedimentation (acres)	31,500	30,000	30,000	17,000
Farmland subject to nonpoint source pollution control (acres)	455,000	455,000	455,000	420,000
<b>Food and Nutrition Services</b>				
Emergency food assistance delivered (lbs.)	8,250,000	8,300,000	9,850,000	8,350,000
State Food Purchase Program (lbs.)	3,900,000	5,200,000	8,200,000	7,280,000
School lunch delivered (lbs.)	30,464,143	29,500,000	29,500,000	29,500,000
<b>Marketing and Development Services</b>				
Agricultural inputs satisfying label guarantees:				
Fertilizer	93%	75%	80%	80%
Lime	100%	100%	98%	95%
Feed	96%	95%	95%	95%
Milk license financial disputes settled	268	445	350	375
Producers licensed to pack Jersey Fresh logo	278	282	300	310
Agricultural commodities inspected and graded (lbs.)	805,517,445	905,501,128	580,000,000	520,000,000
Individual store outlets featuring NJ agricultural products	3,500	3,500	3,500	3,500
Racing mares bred	1,050	1,361	1,000	780
Organic Certification Program:				
Number of certified operations (producers & handlers)	---	88	100	115
<b>Farmland Preservation</b>				
Cumulative acres permanently preserved	158,721	167,752	182,644	193,761
Cumulative farms permanently preserved	1,579	1,714	1,886	2,033
Eight year program - acres preserved	14,923	14,193	13,500	13,000
County/Municipal financial participation	\$63,128,883	\$44,392,571	\$58,500,000	\$65,000,000

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	Actual FY 2007	Actual FY 2008	Revised FY 2009	Budget Estimate FY 2010
<b>PERSONNEL DATA</b>				
Affirmative Action Data				
Male Minority .....	18	19	17	18
Male Minority % .....	7.1	7.7	7.7	8.1
Female Minority .....	35	37	35	39
Female Minority % .....	13.7	15.0	15.8	17.6
Total Minority .....	53	56	52	57
Total Minority % .....	20.8	22.8	23.4	25.8
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	115	115	100	95
Federal .....	63	58	57	59
All Other .....	77	73	65	67
Total Positions .....	255	246	222	221
Filled Positions by Program Class				
Animal Disease Control .....	22	26	25	25
Plant Pest and Disease Control .....	42	34	32	32
Agriculture and Natural Resources .....	24	23	18	16
Food and Nutrition Services .....	57	55	54	57
Marketing and Development Services .....	58	57	44	43
Administration and Support Services .....	22	22	18	17
Farmland Preservation .....	30	29	31	31
Total Positions .....	255	246	222	221

**Notes:**

Actual payroll counts are reported for fiscal years 2007 and 2008 as of December and revised fiscal year 2009 as of January. The Budget Estimate for fiscal year 2010 reflects the number of positions funded.

### APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2008					Year Ending June 30, 2010			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2009 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Program</b>								
1,348	574	-36	1,886	1,393	01	1,106	1,106	1,106
2,127	623	-192	2,558	2,284	02	1,619	1,619	1,619
963	939	-104	1,798	1,539	03	511	511	511
338	---	---	338	338	05	343	343	343
2,260	1,076	-238	3,098	2,886	06	1,246	787	787
1,740	670	---	2,410	2,410	08	1,838	1,838	1,838
462	13	744	1,219	1,169	99	877	877	877
<b>9,238</b>	<b>3,895</b>	<b>174</b>	<b>13,307</b>	<b>12,019</b>	<b>7,540<sup>(a)</sup></b>		<b>7,081</b>	<b>7,081</b>
<b>Distribution by Fund and Object</b>								
Personal Services:								
5,550	85 953 <sup>R</sup>	316	6,904	6,815	4,476		4,267	4,267
5,550	1,038	316	6,904	6,815	4,476		4,267	4,267
138	26	5	169	146	118		104	104
159	12	105	276	264	117		152	152
195	---	-47	148	147	195		174	174

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Orig. & (S)Supplemental	Year Ending June 30, 2008				Total Available Expended	Prog. Class.	2009 Adjusted Approp.	Year Ending June 30, 2010	
	Reapp. & (R)Recpts.	Transfers & (E)Emergencies						Requested	Recommended
<b><u>DIRECT STATE SERVICES</u></b>									
---	349 225 <sup>R</sup>	-82	492	---	Animal Disease Control	01	---	---	---
---	51 13 <sup>R</sup>	460	524	394	Plant Pest and Disease Control	02	---	---	---
200	---	-83	117	116	Asian Longhorned Beetle Monitoring	02	---	---	---
---	55 100 <sup>R</sup>	---	155	109	Beneficial Insect Laboratory	02	---	---	---
---	383	-378	5	4	Nonpoint Source Pollution Project	03	---	---	---
---	272 198 <sup>R</sup>	---	470	246	Environmental Services	03	---	---	---
338	---	---	338	338	The Emergency Food Assistance Program	05	343	343	343
826	195	-26	995	784	Promotion/Market Development	06	400	150	150
---	---	134	134	134	Nutrition- State Match	06	---	---	---
---	197 <sup>R</sup>	-197	---	---	Marketing and Development Services	06	---	---	---
90	---	---	90	90	Agricultural Right-to-Farm Program	08	85	85	85
1,650	670 <sup>R</sup>	---	2,320	2,320	Open Space Administrative Costs	08	1,753	1,753	1,753
18	---	---	18	18	Expenses of State Board of Agriculture	99	18	18	18
28	---	-8	20	20	Affirmative Action and Equal Employment Opportunity	99	28	28	28
46	111	-25	132	74	Additions, Improvements and Equipment		7	7	7
<b><u>GRANTS-IN-AID</u></b>									
<b>Distribution by Fund and Program</b>									
800	1,340	34	2,174	962	Agriculture and Natural Resources	03	---	---	---
4,000	---	---	4,000	4,000	Food and Nutrition Services	05	4,000	6,000	6,000
75	---	90	165	165	Marketing and Development Services	06	50	---	---
300	---	784	1,084	1,084	Farmland Preservation	08	---	---	---
<b>5,175</b>	<b>1,340</b>	<b>908</b>	<b>7,423</b>	<b>6,211</b>	<b>Total Grants-in-Aid</b>		<b>4,050</b>	<b>6,000</b>	<b>6,000</b>
<b>Distribution by Fund and Object</b>									
Grants:									
800	447	50	1,297	804	Conservation Assistance Program	03	---	---	---
---	893	-16	877	158	Conservation Cost Share Program	03	---	---	---
4,000	---	---	4,000	4,000	Hunger Initiative/Food Assistance Program	05	4,000 <sup>(b)</sup>	6,000	6,000
75	---	---	75	75	Promotion/Market Development	06	50	---	---
---	---	90	90	90	New Jersey Museum of Agriculture	06	---	---	---
300	---	784	1,084	1,084	Soil and Water Conservation Grants	08	---	---	---
<b><u>STATE AID</u></b>									
<b>Distribution by Fund and Program</b>									
11,677	3,162	---	14,839	10,919	Food and Nutrition Services	05	10,823	11,498	11,498
50	---	---	50	50	Farmland Preservation	08	50	50	50
<b>11,727</b>	<b>3,162</b>	<b>---</b>	<b>14,889</b>	<b>10,969</b>	<b>Total State Aid</b>		<b>10,873</b>	<b>11,548</b>	<b>11,548</b>

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Year Ending June 30, 2008					Year Ending June 30, 2010				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2009 Adjusted Approp.	Requested	Recommended	
<b>STATE AID</b>									
<b>Distribution by Fund and Object</b>									
State Aid:									
3,854	2,807	---	6,661	2,859	05	3,000	3,000	3,000	
439	11	---	450	424	05	439	439	439	
7,384	344	---	7,728	7,636	05	7,384	8,059	8,059	
50	---	---	50	50	08	50	50	50	
<b>CAPITAL CONSTRUCTION</b>									
<b>Distribution by Fund and Program</b>									
250	7	---	257	248	02	---	---	---	
---	991	---	991	---	03	---	---	---	
---	801	---	801	801	08	---	---	---	
<b>250</b>	<b>1,799</b>	<b>---</b>	<b>2,049</b>	<b>1,049</b>	<b>Total Capital Construction</b>		<b>---</b>	<b>---</b>	<b>---</b>
<b>Distribution by Fund and Object</b>									
<b>Division of Plant Industry</b>									
250	---	---	250	248	02	---	---	---	
---	7	---	7	---	02	---	---	---	
<b>State Agriculture Development Committee</b>									
---	991	---	991	---	03	---	---	---	
---	801	---	801	801	08	---	---	---	
<b>26,390</b>	<b>10,196</b>	<b>1,082</b>	<b>37,668</b>	<b>30,248</b>	<b>Grand Total State Appropriation</b>		<b>22,463</b>	<b>24,629</b>	<b>24,629</b>
<b>OTHER RELATED APPROPRIATIONS</b>									
<b>Federal Funds</b>									
661	---	---	---	---	01	---	---	---	
232 <sup>S</sup>	767	242	1,902	806	01	1,262	1,188	1,188	
4,935	---	---	---	---	02	---	---	---	
10 <sup>S</sup>	1,979	---	6,924	3,023	02	4,865	4,895	4,895	
480	15	---	495	154	03	480	250	250	
317,290	1,491	---	318,781	268,967	05	319,239	330,639	330,639	
499	---	---	---	---	06	---	---	---	
428 <sup>S</sup>	259	---	1,186	599	06	653	532	532	
4,525	---	---	---	---	08	---	---	---	
18 <sup>S</sup>	990	---	5,533	989	08	4,525	4,525	4,525	
<b>329,078</b>	<b>5,501</b>	<b>242</b>	<b>334,821</b>	<b>274,538</b>	<b>Total Federal Funds</b>		<b>331,024</b>	<b>342,029</b>	<b>342,029</b>
<b>All Other Funds</b>									
---	3	---	3	2	01	227	227	227	
---	7	---	---	---	02	---	---	---	
---	4 <sup>R</sup>	---	11	---	02	368	372	372	
---	47	---	---	---	03	---	---	---	
---	273 <sup>R</sup>	---	320	261	03	402	458	458	
---	1,386	---	---	---	05	---	---	---	
---	1,666 <sup>R</sup>	-26	3,026	1,655	05	1,516	1,516	1,516	
---	2,889	---	---	---	06	---	---	---	
---	7,457 <sup>R</sup>	27	10,373	7,737	06	7,454	7,233	7,233	
---	67 <sup>R</sup>	---	67	67	08	1,154	1,154	1,154	
---	137	278	415	407	99	---	---	---	
---	<b>13,936</b>	<b>279</b>	<b>14,215</b>	<b>10,129</b>	<b>Total All Other Funds</b>		<b>11,121</b>	<b>10,960</b>	<b>10,960</b>
<b>355,468</b>	<b>29,633</b>	<b>1,603</b>	<b>386,704</b>	<b>314,915</b>	<b>GRAND TOTAL ALL FUNDS</b>		<b>364,608</b>	<b>377,618</b>	<b>377,618</b>

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## Notes -- Direct State Services – General Fund

- (a) The fiscal year 2009 appropriation has been adjusted for the allocation of salary program, which includes \$72,000 in appropriated receipts, and for the annualized savings from the Early Retirement Incentive program and continued attrition, and the reallocation of procurement efficiencies.
- (b) An additional fiscal year 2009 amount for this program was funded from the Long Term Obligation and Capital Expenditure Fund. Fiscal details for that Fund may be found in a schedule that appears in the Appendix of this document.

## Language Recommendations -- Direct State Services – General Fund

- Receipts from laboratory test fees are appropriated to support the Animal Health Laboratory program. The unexpended balance at the end of the preceding fiscal year in the Animal Health Laboratory receipt account is appropriated for the same purpose.
- Receipts from the seed laboratory testing and certification programs are appropriated for the cost of these programs. The unexpended balance at the end of the preceding fiscal year in the seed laboratory testing and certification receipt account is appropriated for the same purpose.
- Receipts from Nursery Inspection fees are appropriated for the cost of that program. The unexpended balance at the end of the preceding fiscal year in the Nursery Inspection program is appropriated for the same purpose.
- Receipts from the sale or studies of beneficial insects are appropriated to support the Beneficial Insect Laboratory. The unexpended balance at the end of the preceding fiscal year in the Sale of Insects account is appropriated for the same purpose.
- Receipts from Stormwater Discharge Permit program fees are appropriated for the cost of that program. The unexpended balance at the end of the preceding fiscal year in the Stormwater Discharge Permit program account is appropriated for the same purpose.
- Receipts from dairy licenses and inspections are appropriated for the cost of that program.
- Receipts in excess of the amount anticipated from feed, fertilizer, and liming material registrations and inspections are appropriated for the cost of that program.
- Receipts from agriculture chemistry fees not to exceed \$75,000 are appropriated to support the organic certification program.
- Receipts from organic certification program fees are appropriated for the cost of that program.
- Receipts from inspection fees derived from fruit, vegetable, fish, red meat, and poultry inspections are appropriated for the cost of conducting fruit, vegetable, fish, red meat, and poultry inspections.
- An amount equal to receipts generated at the rate of \$0.47 per gallon of wine, vermouth, and sparkling wine sold by plenary winery and farm winery licensees licensed pursuant to R.S.33:1–10, and certified by the Director of the Division of Taxation, are appropriated to the Department of Agriculture from the alcoholic beverage excise tax for expenses of the Wine Promotion Program.
- Receipts derived from the distribution of commodities, sale of containers, and salvage of commodities, in accordance with applicable federal regulations, are appropriated for Commodity Distribution expenses.
- Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Open Space Administrative Costs account is transferred from the Garden State Farmland Preservation Trust Fund to the General Fund, together with an amount not to exceed \$1,029,000, and is appropriated to the Department of Agriculture for the State Agriculture Development Committee's administration of the Farmland Preservation program, subject to the approval of the Director of the Division of Budget and Accounting.
- The unexpended balance at the end of the preceding fiscal year in the Promotion/Market Development account is appropriated for the same purpose.
- Receipts derived from the surcharge on vehicle rentals pursuant to section 54 of P.L. 2002, c.34 (C.App.A:9–78), not to exceed \$278,000, are appropriated to support the Agro–Terrorism program within the Department of Agriculture.
- Notwithstanding the provisions of any law or regulation to the contrary, an amount not to exceed \$200,000 shall be transferred from the appropriate funds established in the Open Space Preservation Bond Act of 1989, P.L.1989, c.183, to the State Transfer of Development Rights Bank account and is appropriated to the State Agriculture Development Committee for Transfer of Development Rights administrative costs.

## Language Recommendations -- Grants–In–Aid – General Fund

- Notwithstanding the provisions of any law or regulation to the contrary, \$540,000 shall be transferred from the Department of Environmental Protection's Water Resources Monitoring and Planning – Constitutional Dedication special purpose account and is appropriated to support the Conservation Cost Share program in the Department of Agriculture on or before September 1, 2009. Further additional sums may be transferred pursuant to a Memorandum of Understanding between the Department of Environmental Protection and the Department of Agriculture from the Department of Environmental Protection's Water Resources Monitoring and Planning – Constitutional Dedication account to support nonpoint source pollution control programs in the Department of Agriculture, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance of this program at the end of the preceding fiscal year is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.
- The expenditure of funds for the Conservation Cost Share program hereinabove appropriated shall be based upon an expenditure plan, subject to the approval of the Director of the Division of Budget and Accounting.
- The unexpended balances at the end of the preceding fiscal year in the Conservation Assistance Program are appropriated for the same purpose.
- Notwithstanding the provisions of any law or regulation to the contrary, \$250,000 shall be transferred from the Department of Environmental Protection's Water Resources Monitoring and Planning – Constitutional Dedication special purpose account and is appropriated for the Animal Waste Management portion of the Conservation Assistance Program in the Division of Agricultural and Natural Resources in the Department of Agriculture.



The unexpended balances at the end of the preceding fiscal year in the Capital Improvements for Storing Food for Food Banks account are appropriated for the same purpose.

**Language Recommendations -- State Aid – General Fund**

The unexpended balances at the end of the preceding fiscal year in the School Breakfast – State Aid Grants account are appropriated for the same purpose.

Of the amounts hereinabove appropriated for the Department of Agriculture, such sums as the Director of the Division of Budget and Accounting shall determine from the amount listed under School Nutrition in the Department of Agriculture schedule included in the Governor's Budget Message and Recommendations shall first be charged to the State Lottery Fund.

The unexpended balances at the end of the preceding fiscal year in the School Lunch and Non–Public Nutrition Aid – State Aid Grants accounts are appropriated for the same purpose.