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**RULE ADOPTIONS**

**AGRICULTURE  
DIVISION OF MARKETING AND DEVELOPMENT**

*46 N.J.R. 2109(a)*

**Readoption: *N.J.A.C. 2:50***

**Notice of Readoption**

**Producers**

Authority: *N.J.S.A. 4:1-11.1, 4:1-25, and 4:12A-1 et seq.*, specifically 4:12A-7 and 4:12A-20.

Authorized By: Alfred W. Murray, Director, Division of Marketing and Development, the State Board of Agriculture and Douglas H. Fisher, Secretary, Department of Agriculture.

Effective Date: September 22, 2014.

New Expiration Date: September 22, 2021.

**Take notice** that pursuant to *N.J.S.A. 52:14B-5.1.c*, these rules at *N.J.A.C. 2:50* will expire on October 24, 2014. These rules regulate the purchase and sale of **milk** between producers and dealers in the State of New Jersey, thereby providing protection to producers who sell and dealers who buy New Jersey **milk**. As such, the rules proposed for readoption primarily affect New Jersey dairy producers and **milk** dealers licensed by the State of New Jersey to buy **milk** from New Jersey dairy producers and will also benefit New Jersey **milk** dealers, producers, and consumers.

These rules provide the 28-day notice requirements for dairy farmers and **milk** dealers intending to discontinue the sale or purchase of **milk**; set forth the procedures for the licensing of weighers and samplers; and outline the weighing, measuring, and sampling procedures including sample maintenance.

These rules also mandate a fuel adjustment add-on to be paid to New Jersey producers by licensees who purchase New Jersey-produced **milk**; set forth the relative definitions; delineate the requirements and calculations for the payment of the fuel adjustment add-on; clarify how adjustments will be made for Class I utilization for the fuel adjustment add-on payments made by processors; set forth Premium program reporting requirements for licensees; detail the means of petitioning the Department for assistance when a producer feels a premium program change has been made for the purpose of circumventing the fuel adjustment add-on; and address the penalties to be imposed for violating or intentionally circumventing these provisions. In addition, these rules describe the conditions under which information will be held confidential and reference privileges and limitations set forth in 7 *CFR* 205.501 and 205.504 and *N.J.S.A. 47:1A-1* et seq. regarding access to information.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to *N.J.S.A. 52:14B-5.1.c(1)*, these rules are readopted and shall continue in effect for a seven-year period.