

RULE ADOPTIONS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW
Uniform Administrative Procedure Rules
Interpreters; Payment
N.J.A.C. 1:1-14.3

Effective Date: July 12, 2024.

Take notice that the Office of Administrative Law (OAL) has changed its internal process for providing interpreters in administrative hearings and will no longer enforce N.J.A.C. 1:1-14.3(a), (b), or (c) as currently promulgated. Pursuant to the present version of N.J.A.C. 1:1-14.3, parties to an administrative hearing are permitted to obtain an interpreter at their own cost if the administrative law judge determines that interpretation is necessary. The rule also sets forth the procedure for the selection of the interpreter and for the exception to the requirement that the requesting party pay for the interpreter when the interpreter is for the hearing impaired.

This change means that the OAL no longer requires parties requesting an interpreter pursuant to N.J.A.C. 1:1-14.3(a), (b), or (c) to pay for their own interpreter; instead, parties must notify the OAL if they have a limited ability to speak or understand English so the OAL can provide interpreters at the hearings.

The OAL will prepare a rulemaking to replace or amend N.J.A.C. 1:1-14.3 in due course, but because the rulemaking process takes time, the OAL is notifying the public of its current policy not to enforce N.J.A.C. 1:1-14.3(a), (b), or (c). Until a new or amended regulation is adopted, the public is directed to the OAL website, where the current process for requesting an interpreter is posted. It states: "If you require an interpreter because you have limited ability to speak or understand English, please contact the OAL at (609) 438-6316. Kindly make your request as far in advance of the hearing as possible." See www.nj.gov/oal/hearings/interpret/.

The OAL will continue to enforce N.J.A.C. 1:1-14.3(d).

AGRICULTURE

(b)

DIVISION OF ANIMAL HEALTH
Notice of Readoption
Biological Products for Diagnostic and Therapeutic Purposes
Readoption: N.J.A.C. 2:6

Authority: N.J.S.A. 4:1-11, 4:1-11.1, 4:5-104, and 4:5-109.

Authorized By: The State Board of Agriculture and Edward D. Wengryn, Secretary, Department of Agriculture.

Effective Date: July 8, 2024.

New Expiration Date: July 8, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:6 were scheduled to expire on October 26, 2024.

The rules regulate the sale and use of biologics in New Jersey. Biologics are complex diagnostic, therapeutic, and prophylactic products made with biological components. These products have variable applications and effects that have the potential for misuse. The probable results of their misuse can maintain or spread disease, complicate the diagnostic process, and fail to provide effective disease protection.

The rules do not apply to drugs or chemicals, including antibiotic preparations.

These rules exempt individual registration of most Federally licensed manufacturers or products and limit the use and distribution of unlicensed or conditionally licensed products. The rules will help ensure that only those biologics that have been licensed by the U.S. Department of Agriculture (USDA) or by the Director of the Division of Animal Health in the New Jersey Department of Agriculture will be used or sold. The rules set forth the definitions used (N.J.A.C. 2:6-1.1), distribution restrictions (N.J.A.C. 2:6-1.2), procedures for State license or permit (N.J.A.C. 2:6-1.3), restrictions on the use of biologics (N.J.A.C. 2:6-1.4), and revocation of State license or permit (N.J.A.C. 2:6-1.5).

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without change. These 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, these rules are readopted and shall continue in effect for a seven-year period.

(c)

DIVISION OF ANIMAL HEALTH
Notice of Readoption
Humane Treatment of Domestic Livestock
Readoption: N.J.A.C. 2:8

Authority: N.J.S.A. 4:22-16.1 and 4:1-11.1.

Authorized By: The State Board of Agriculture and Edward D. Wengryn, Secretary, Department of Agriculture.

Effective Date: July 8, 2024.

New Expiration Date: July 8, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:8 were scheduled to expire on October 26, 2024.

The purpose of Chapter 8 is to establish minimum humane standards for the raising, keeping, care, treatment, marketing, and sale of domestic livestock, as well as the procedures for the enforcement of those standards, pursuant to the direction at N.J.S.A. 4:22-16.1. General provisions, including definitions, that apply to the entire chapter are set forth at Subchapter 1. The rules establish minimum humane standards with respect to the feeding, watering, keeping, marketing and sale, care, and treatment, as well as exceptions thereto, for cattle (Subchapter 2), for horses (Subchapter 3), for poultry (Subchapter 4), for rabbits (Subchapter 5), for small ruminants (Subchapter 6), and for swine (Subchapter 7). The rule also sets forth how the rules are to be enforced (Subchapter 8).

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without change. These 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, these rules are readopted and shall continue in effect for a seven-year period.

This rule includes the recent amendments at N.J.A.C. 2:8 that were adopted by the Department of Agriculture and the State Board of Agriculture effective May 20, 2024, which amendments become operative on November 20, 2024. See 56 N.J.R. 889(a).

(d)

DIVISION OF PLANT INDUSTRY
Notice of Readoption
Diseases of Bees and Beekeeping Activities
Readoption: N.J.A.C. 2:24

Authority: N.J.S.A. 4:1-11.1, 4:1-21.5, and 4:6-1 et seq.

Authorized By: The State Board of Agriculture and Edward D. Wengryn, Secretary, Department of Agriculture.