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NEW JERSEY REGISTER

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VOLUME 49, ISSUE 21

ISSUE DATE: NOVEMBER 6, 2017

RULE ADOPTIONS

**AGRICULTURE
DIVISION OF ANIMAL HEALTH**

49 N.J.R. 3497(a)

Readoption: N.J.A.C. 2:10

Notice of Readoption

Laboratory Services

Authority: N.J.S.A. 4:5-2.1.

Authorized By: The State Board of Agriculture and Douglas H. Fisher, Secretary, Department of Agriculture.

Effective Date: September 28, 2017.

New Expiration Date: September 28, 2024.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 2:10 were scheduled to expire on November 15, 2017. These rules are necessary to provide farmers with animal disease diagnostics and defray the costs incurred by the Department in providing these services. The collection of reasonable fees for animal disease diagnostic and testing services by the Department of Agriculture allows the Department to recover the costs incurred for materials, equipment, test kits, reagents, and associated personnel expenses for these testing services. The readopted rules provide for user fees for veterinary diagnostic services that reflect operating costs and the method used to calculate Departmental costs. The rules list user fees by type of service.

The rules allow for the testing (and cost reimbursement) of new diseases as they emerge. Fees are set at lower levels in some cases to encourage animal owners to use the available services of the Department. In addition, fees calculated for tests performed in groups offer diagnostic and economic benefits by providing a lower cost option when certain

diagnostic tests are reorganized in a group related to the type of service. The fees collected are held separate and apart from all other funds of the State in a non-lapsing revolving fund for annual appropriation to provide continuous support for the laboratory services.

N.J.A.C. 2:10-1.1 defines the terms used in the chapter. N.J.A.C. 2:10-1.2 sets forth the fee schedule for veterinary diagnostic services. In addition to the charges for bacteriology isolation and identification tests, virology identification tests, and serology testing in the case of the introduction of a new test format, charges are determined by using actual time, labor, administrative, and material costs.

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.