

**DEPARTMENT OF AGRICULTURE
OVERVIEW**

Mission

The Department of Agriculture protects the citizenry of the State through monitoring and surveillance that keeps agricultural products free from plant and animal diseases. The Department also preserves our farmland, promotes New Jersey agricultural and aquacultural products, protects and conserves agricultural and natural resources, and provides fresh and nutritious breakfast and lunch programs to our State's schoolchildren. The Department also helps provide emergency feeding assistance to our State's food insecure.

Goals

The Department has many goals. It is tasked with preserving farms, and protecting and conserving natural and agricultural resources. It seeks to protect producers and consumers by ensuring safe, high-quality agricultural products and services. Department

programs also aim to support and expand profitable, innovative agricultural and food industry development. The Department makes sure that children, the needy and other New Jersey citizens get access to fresh and nutritious foods. It promotes agricultural awareness and involvement through education programs and it seeks to guarantee the delivery of quality services by a well-trained and motivated workforce. The State Agriculture Development Committee, which is in but not of the Department, administers the Farmland Preservation Program.

Budget Highlights

The Fiscal 2012 Budget for the Department of Agriculture totals \$19.6 million, a decrease of \$125,000, or 0.6% under the fiscal 2011 adjusted appropriation of \$19.7 million.

**DEPARTMENT OF AGRICULTURE
SUMMARY OF APPROPRIATIONS BY FUND
(thousands of dollars)**

Year Ending June 30, 2010					Year Ending June 30, 2012		
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	2011 Adjusted Approp.	Requested	Recommended
7,081	3,225	96	10,402	9,866	GENERAL FUND		
3,918	546	3,280	7,744	7,517	7,156	7,156	7,156
11,548	188	-5	11,731	11,716	6,918	6,818	6,818
					5,648	5,623	5,623
22,547	3,959	3,371	29,877	29,099	19,722	19,597	19,597
					Total General Fund		
22,547	3,959	3,371	29,877	29,099	19,722	19,597	19,597
					Total Appropriation, Department of Agriculture		

**SUMMARY OF APPROPRIATIONS BY PROGRAM
(thousands of dollars)**

Year Ending June 30, 2010					Year Ending June 30, 2012		
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	2011 Adjusted Approp.	Requested	Recommended
					DIRECT STATE SERVICES - GENERAL FUND		
					Agricultural Resources, Planning, and Regulation		
1,106	429	-117	1,418	1,227	1,111	1,111	1,111
1,619	434	-129	1,924	1,630	1,638	1,638	1,638
511	460	316	1,287	1,257	515	515	515
343	---	---	343	343	343	343	343
787	986	-104	1,669	1,655	801	801	801
1,838	916	-1	2,753	2,753	1,963	1,963	1,963
877	---	131	1,008	1,001	785	785	785
7,081	3,225	96	10,402	9,866	7,156	7,156	7,156
7,081	3,225	96	10,402	9,866	7,156	7,156	7,156
					TOTAL DIRECT STATE SERVICES		

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Year Ending June 30, 2010					Year Ending June 30, 2012		
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	2011 Adjusted Approp.	Requested	Recommended
					GRANTS-IN-AID - GENERAL FUND		
					Agricultural Resources, Planning, and Regulation		
---	546	-160	386	247	---	---	---
3,918	---	3,000	6,918	6,830	6,918	6,818	6,818
---	---	90	90	90	---	---	---
---	---	350	350	350	---	---	---
<u>3,918</u>	<u>546</u>	<u>3,280</u>	<u>7,744</u>	<u>7,517</u>	<u>6,918</u>	<u>6,818</u>	<u>6,818</u>
<u>3,918</u>	<u>546</u>	<u>3,280</u>	<u>7,744</u>	<u>7,517</u>	Total Grants-In-Aid - General Fund	6,918	6,818
<u>3,918</u>	<u>546</u>	<u>3,280</u>	<u>7,744</u>	<u>7,517</u>	TOTAL GRANTS-IN-AID	6,918	6,818
					STATE AID - GENERAL FUND		
					Agricultural Resources, Planning, and Regulation		
11,498	188	---	11,686	11,686	5,613	5,613	5,613
50	---	-5	45	30	35	10	10
<u>11,548</u>	<u>188</u>	<u>-5</u>	<u>11,731</u>	<u>11,716</u>	<u>5,648</u>	<u>5,623</u>	<u>5,623</u>
<u>11,548</u>	<u>188</u>	<u>-5</u>	<u>11,731</u>	<u>11,716</u>	Total State Aid - General Fund	5,648	5,623
<u>11,548</u>	<u>188</u>	<u>-5</u>	<u>11,731</u>	<u>11,716</u>	TOTAL STATE AID	5,648	5,623
<u>22,547</u>	<u>3,959</u>	<u>3,371</u>	<u>29,877</u>	<u>29,099</u>	Total Appropriation, Department of Agriculture	19,722	19,597

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 includes Child Nutrition Services and Commodity Distribution.

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/or federal reimbursements are paid to school districts for part of the cost of school lunches and 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 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 nine 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, 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.

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.

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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 2009	Actual FY 2010	Revised FY 2011	Budget Estimate FY 2012
PROGRAM DATA				
Animal Disease and Plant Pest and Disease Control				
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	1,800	1,790	1,790	1,790
Nursery acreage certified free of plant pests	20,000	19,500	19,500	19,500
Bee colonies found disease free	98%	98%	98%	98%
Seed meeting truth in labeling requirements	95%	95%	95%	95%
Pesticide not applied (lbs.)	1,280,000	1,280,000	1,310,000	1,310,000
Forest and crop acreage stabilized biologically	992,000	992,000	1,037,000	1,037,000
Forested acres protected from gypsy moth infestations ...	80,000	80,000	31,000	30,000
Major exotic insect and plant disease field surveys	9	9	10	10
Agriculture and Natural Resources				
Aquaculture production (lbs.)	44,000,000	44,000,000	48,120,000	48,362,280
Soil and Water Conservation Programs:				
Land protected from soil erosion and sedimentation (acres)	30,000	17,000	15,000	13,000
Farmland subject to nonpoint source pollution control (acres)	455,000	420,000	400,000	380,000
Food and Nutrition Services				
Emergency food assistance delivered (lbs.)	22,331,261	23,900,000	20,000,000	20,000,000
State Food Purchase Program (lbs.)	7,000,000	9,700,000	9,700,000	9,700,000
School lunch delivered (lbs.)	25,951,044	31,134,091	33,785,452	34,000,000
Marketing and Development Services				
Agricultural inputs satisfying label guarantees:				
Fertilizer	77%	73%	75%	75%
Lime	100%	100%	99%	99%
Feed	97%	98%	95%	95%
Milk license financial disputes settled	361	375	375	400
Producers licensed to pack Jersey Fresh logo	299	275	280	280
Agricultural commodities inspected and graded (lbs.)	475,739,394	400,184,714	415,000,000	415,000,000
Individual store outlets featuring NJ agricultural products ...	3,500	3,500	3,500	3,500
Racing mares bred	1,000	1,250	1,200	750
Organic Certification Program:				
Number of certified operations (producers & handlers) ...	83	87	93	90
Farmland Preservation				
Cumulative acres permanently preserved	179,303	187,413	197,413	207,413
Cumulative farms permanently preserved	1,850	1,953	2,083	2,213
Eight year program -acres preserved	13,293	10,771	8,271	6,271
County/Municipal financial participation	\$46,733,543	\$33,709,199	\$35,000,000	\$35,000,000
PERSONNEL DATA				
Affirmative Action Data				
Male Minority	17	18	16	17
Male Minority %	7.6	8.4	7.7	7.8
Female Minority	35	39	31	31
Female Minority %	15.7	18.1	14.8	14.3
Total Minority	52	57	47	48
Total Minority %	23.3	26.5	22.5	22.1

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	Actual FY 2009	Actual FY 2010	Revised FY 2011	Budget Estimate FY 2012
Position Data				
Filled Positions by Funding Source				
State Supported	102	96	93	94
Federal	56	56	52	58
All Other	65	63	64	65
Total Positions	223	215	209	217
Filled Positions by Program Class				
Animal Disease Control	25	24	24	24
Plant Pest and Disease Control	32	30	28	28
Agriculture and Natural Resources	18	16	17	17
Food and Nutrition Services	53	55	53	58
Marketing and Development Services	45	40	38	40
Farmland Preservation	31	30	30	31
Administration and Support Services	19	20	19	19
Total Positions	223	215	209	217

Notes:

Actual payroll counts are reported for fiscal years 2009 and 2010 as of December and revised fiscal year 2011 as of January. The Budget Estimate for fiscal year 2012 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2010					Year Ending June 30, 2012				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2011 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
1,106	429	-117	1,418	1,227	01	1,111	1,111	1,111	
1,619	434	-129	1,924	1,630	02	1,638	1,638	1,638	
511	460	316	1,287	1,257	03	515	515	515	
343	---	---	343	343	05	343	343	343	
787	986	-104	1,669	1,655	06	801	801	801	
1,838	916	-1	2,753	2,753	08	1,963	1,963	1,963	
877	---	131	1,008	1,001	99	785	785	785	
7,081	3,225	96	10,402	9,866	7,156^(a)		7,156	7,156	
Distribution by Fund and Object									
Personal Services:									
4,267	959 ^R	70	5,296	5,288	4,294		4,294	4,294	
Total Personal Services									
4,267	959	70	5,296	5,288	4,294		4,294	4,294	
104	---	-1	103	88	88		88	88	
152	---	40	192	190	156		156	156	
174	---	-16	158	158	162		162	162	
Special Purpose:									
---	244	---	---	---	01	---	---	---	
---	185 ^R	-179	250	62	---		---	---	
---	68	---	---	---	02	---	---	---	
---	30 ^R	586	684	460	---		---	---	
---	73 ^R	---	73	18	---		---	---	
---	155	-100	55	55	---		---	---	
---	82	---	---	---	03	---	---	---	
---	160 ^R	---	242	242	---		---	---	
343	---	---	343	343	05	343	343	343	

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Year Ending June 30, 2010					Year Ending June 30, 2012				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2011 Adjusted Approp.	Requested	Recommended	
<u>DIRECT STATE SERVICES</u>									
150	12	-12	150	139					
---	278 ^R	-278	---	---	06	150	150	150	
85	---	-1	84	84	06	---	---	---	
1,753	916 ^R	---	2,669	2,669	08	85	85	85	
18	---	-13	5	5	08	1,878	1,878	1,878	
28	---	-15	13	13	08	---	---	---	
7	63	15	85	52	99	---	---	---	
<u>GRANTS-IN-AID</u>									
Distribution by Fund and Program									
---	546	-160	386	247					
3,918	---	3,000	6,918	6,830	03	---	---	---	
---	---	90	90	90	05	6,918	6,818	6,818	
---	---	350	350	350	06	---	---	---	
---	---	---	---	---	08	---	---	---	
3,918	546	3,280	7,744	7,517		6,918	6,818	6,818	
Distribution by Fund and Object									
Grants:									
---	111	-10	101	5					
---	435	-150	285	242	03	---	---	---	
3,918	---	3,000	6,918	6,830	03	---	---	---	
---	---	90	90	90	05	6,918	6,818	6,818	
---	---	350	350	350	06	---	---	---	
---	---	---	---	---	08	---	---	---	
<u>STATE AID</u>									
Distribution by Fund and Program									
11,498	188	---	11,686	11,686					
50	---	-5	45	30	05	5,613	5,613	5,613	
11,548	188	-5	11,731	11,716	08	35	10	10	
						5,648	5,623	5,623	
Distribution by Fund and Object									
State Aid:									
3,000	49	---	3,049	3,049					
439	33	---	472	472	05	---	---	---	
8,059	106	---	8,165	8,165	05	---	---	---	
50	---	-5	45	30	05	5,613	5,613	5,613	
22,547	3,959	3,371	29,877	29,099	08	35	10	10	
						19,722	19,597	19,597	
OTHER RELATED APPROPRIATIONS									
Federal Funds									
915	698	-1	1,612	746					
3,661	1,356	---	5,017	1,481	01	922	872	872	
					02	2,445	2,451	2,451	

Year Ending June 30, 2010					Year Ending June 30, 2012				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2011 Adjusted Approp.	Requested	Recommended	
OTHER RELATED APPROPRIATIONS									
250	115	---	365	246	Agriculture and Natural Resources	03	250	150	150
331,239					Food and Nutrition Services	05	336,350	339,250	339,250
22,428 ^S	-6,385	---	347,282	304,795	Marketing and Development Services	06	2,141	2,191	2,191
596					Farmland Preservation	08	4,520	4,520	4,520
214 ^S	789	---	1,599	1,041					
<u>6,025</u>	<u>4,191</u>	<u>---</u>	<u>10,216</u>	<u>5,584</u>	Total Federal Funds		<u>346,628</u>	<u>349,434</u>	<u>349,434</u>
<u>365,328</u>	<u>764</u>	<u>-1</u>	<u>366,091</u>	<u>313,893</u>	All Other Funds				
---	7	---	7	---	Animal Disease Control	01	190	188	188
---	7 ^R	---	7	3	Plant Pest and Disease Control	02	364	361	361
---	70				Agriculture and Natural Resources	03	447	388	388
---	219 ^R	10	299	228	Food and Nutrition Services	05	1,516	1,516	1,516
---	1,322	---	3,588	1,452	Marketing and Development Services	06	5,515	5,085	5,085
---	2,266 ^R	---	6,629	4,746	Farmland Preservation	08	1,154	1,154	1,154
---	1,355	75	39	38	Administration and Support Services (b)	99	---	---	---
---	5,199 ^R	39	300	175					
---	---	278	<u>10,869</u>	<u>6,642</u>	Total All Other Funds		<u>9,186</u>	<u>8,692</u>	<u>8,692</u>
---	<u>10,467</u>	<u>402</u>	<u>406,837</u>	<u>349,634</u>	GRAND TOTAL ALL FUNDS				
<u>387,875</u>	<u>15,190</u>	<u>3,772</u>				<u>375,536</u>	<u>377,723</u>	<u>377,723</u>	

Notes -- Direct State Services - General Fund

- (a) The fiscal year 2011 appropriation has been adjusted for the allocation of salary program, which includes \$108,000 in appropriated receipts, and for the reallocation of statewide savings.
- (b) In addition to the resources reflected in All Other Funds above, funding will be transferred from the Department of Treasury to support operations and services related to the Agro-Terrorism Program in fiscal 2012. The recent history of such receipts is reflected in the Department of Treasury's budget.

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.

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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, 2011. 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 special purpose 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.

Language Recommendations -- State Aid - General Fund

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 Aid - State Aid Grants account is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amount necessary to reimburse State and local government entities for participating in the School Lunch Program shall be paid from the School Lunch Aid - State Aid Grants account, subject to the approval of the Director of the Division of Budget and Accounting.