

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
GENERAL COUNSEL

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. The agency agrees to comply with 07 NCAC 04M. 0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

The Department of Agriculture and Consumer Services and the Department of Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when "administrative/reference value ends." The Department of Agriculture and Consumer Services hereby agrees that it will establish and enforce internal policies setting minimum retention periods for records with this disposition instruction. Without the establishment of internal policies, the agency is not authorized by the Department of Cultural Resources to destroy these records.

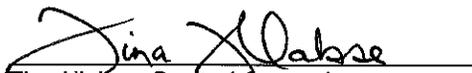
The Department of Agriculture and Consumer Services and the Department of Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The Department of Agriculture and Consumer Services agrees to comply with all policies, standards, and best practices published by the Department of Cultural Resources regarding the creation and management of electronic records.

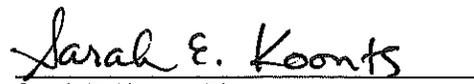
E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed.

The Department of Agriculture and Consumer Services agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

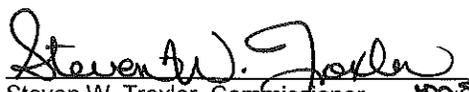
APPROVAL RECOMMENDED

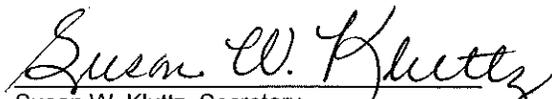

Connie D. Strickland, Chief Records Officer
Department of Agriculture and Consumer Services


Tina Hlabse, General Counsel
Department of Agriculture and Consumer Services


Sarah E. Koonts, Director
Division of Archives and Records

APPROVED


Steven W. Troxler, Commissioner
Department of Agriculture and Consumer Services


Susan W. Kluttz, Secretary
Department of Cultural Resources

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ITEM 9245. FEDERAL AGENCY FILE

Record copies of information pertaining to federal agencies. Includes information on Appalachian Regional Commission, U.S. Department of Labor, Environmental Protection Agency, U.S. Army, and U.S. Department of Agriculture.

DISPOSITION INSTRUCTIONS: Item discontinued. Records transferred to General Subject File (Item 9247).

ITEM 9246. PUBLICATIONS FILE

Record copies of publications pertaining to agriculture. Includes newsletters, magazines, and other publications.

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by the General Schedule for State Agency Records (Item G34).

ITEM 9247. GENERAL SUBJECT FILE

Records concerning Administrative Procedures Act, China, drought assistance, floods, foreign investments, rivers, watersheds, and other general topics. File includes copies of general subject materials.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 9248. FARM AND AGRICULTURAL ORGANIZATIONS FILE

Record copies of correspondence and information pertaining to farm organizations and commodity groups. File includes information on various regional councils of government.

DISPOSITION INSTRUCTIONS: Destroy in office records when reference value ends.

ITEM 9249. AGRICULTURAL ORGANIZATIONS FILE

Record copies of correspondence and information on general organizations pertaining to agriculture. Includes information on the Agriculture Council of America; Agriculture, Forestry, and Seafood Industry Task Force Committee; and American Society of Agricultural Engineers, Cast, Council of Governments, Joint Funding Task Force, Land Use Congress, N.C. Association of County Commissioners, and Southern Growth Policies Board.

DISPOSITION INSTRUCTIONS: Item discontinued. Records transferred to Farm Organizations and Commodities Group File (Item 9248).

ITEM 9250. STATE AGENCIES CORRESPONDENCE FILE

Records concerning state agencies, institutions, and universities. File includes correspondence, including e-mail.

DISPOSITION INSTRUCTIONS: Destroy in office records after 5 years.

ITEM 9251. U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS FILE

Record and reference copies of publications of the U.S. Department of Agriculture.

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by the General Schedule for State Agency Records (Item G35).

ITEM 9252. FARMERS AND FIRMS ASSISTED FILE

Record copies of documents pertaining to farmers and firms which are assisted by the department. Includes information about individual farmers, associations, corporations, and other farm related groups.

DISPOSITION INSTRUCTIONS: Item discontinued. Records transferred to General Subject File (Item 9247).

ITEM 9253. ENERGY POLICY COUNCIL FILE

Record and reference copies of information pertaining to the Energy Policy Council. Includes information concerning alternate fuels, conservation, rationing, and other related documents.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 23992. LEGAL REFERENCE FILE

Records concerning legal issues and agriculture. File includes correspondence, newsletters, publications, reference copies of legal opinions, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. Records transferred to Legal Staff Subjects File (Item 23993).

ITEM 23993. LEGAL STAFF SUBJECTS FILE

Records concerning subjects relevant to the Legal Staff. File includes memoranda, newsletters, publications, reference copies of legal opinions, speeches, reports, and legal documents.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 23994. FARM ORGANIZATIONS AND COMMODITIES GROUP FILE

Records concerning farm organizations and commodity groups.

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Farm and Agricultural Organizations File (Item 9248).

ITEM 23995. STATE AGENCIES CORRESPONDENCE FILE

Correspondence and general information concerning state agencies, institutions, and universities.

DISPOSITION INSTRUCTIONS: Item discontinued. Records transferred to State Agencies Correspondence File (Item 9250).

ITEM 23996. CORRESPONDENCE FILE

Records concerning the public and other units in the Department of Agriculture and Consumer Services. File includes correspondence, including e-mail.

DISPOSITION INSTRUCTIONS: Destroy in office records after 5 years.

ITEM 23997. N.C. BOARD OF AGRICULTURE MINUTES AND HEARINGS FILE

Records concerning meetings and hearings of the N.C. Board of Agriculture. File includes approved minutes.

DISPOSITION INSTRUCTIONS: Transfer a duplicate copy of the official signed governing board minutes to the State Records Center after 10 years to be imaged. Agency will be responsible for cost of microfilm production. After completion of imaging and production of the microfilm, the silver-halide original microfilm will be transferred to the custody of the Archives. Paper records will be destroyed in the State Records Center after imaging. Retain signed (original) governing board minutes in office permanently.

ITEM 23998. RULES AND REGULATIONS FILE

Rules and regulations of the Department of Agriculture maintained for reference purposes.

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by the General Schedule for State Agency Records (Item G33).

ITEM 46138. HEARINGS FILE

Records concerning Administrative Procedure Act, regulatory enforcement, and personnel hearings. File includes non-transcribed recordings, exhibits, notices of hearings, correspondence, and other related records. (Comply with applicable provisions of G.S. 126-22 regarding confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Destroy in office records after 3 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

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ITEM 48306. DIVISIONS FILE

Records concerning general departmental programs within the divisions. File includes policies, information material for the secretary, reports, program plans, and other related information.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 5 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer electronic records after 5 years to the State Records Center for immediate transfer to the custody of the Archives.

ITEM 48316. BOARDS, COMMISSIONS, AND COMMITTEES FILE

Records concerning boards, commissions, and committees within the department of which the policy, communications, and legal affairs assistant commissioner is a member or is involved. File includes correspondence, including e-mail; listings of members; reports from boards, commissions, and committees of other states; reference copies of agreements; newsletters; reference copies of meeting minutes; and other related records.

DISPOSITION INSTRUCTIONS: Destroy reference copies in office when reference value ends. Transfer original records to the State Records Center after 5 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer electronic records after 5 years to the State Records Center for immediate transfer to the custody of the Archives