

TITLE 50 - ANIMALS

CHAPTER 561 - STATE DEPARTMENT OF AGRICULTURE

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GENERAL PROVISIONS

NRS 561.015 Legislative declaration. The Legislature declares that the purpose of this chapter is:

1. To benefit and to promote the welfare of all the people of the State of Nevada.
2. To promote the efficient, orderly and economical conduct of the various activities for the encouragement, advancement and protection of the livestock and agricultural industries of the State of Nevada.
(Added to NRS by 1961, 496)

NRS 561.025 Definitions. As used in this chapter, unless the context requires otherwise:

1. "Board" means the State Board of Agriculture.
2. "Department" means the State Department of Agriculture.
3. "Director" means the Director of the Department.
4. "Livestock" means:
 - (a) All cattle or animals of the bovine species.
 - (b) All horses, mules, burros and asses or animals of the equine species.
 - (c) All swine or animals of the porcine species.
 - (d) All goats or animals of the caprine species.
 - (e) All poultry or domesticated fowl or birds.
 - (f) All dogs, cats or other animals domesticated or under the restraint or control of humans.
(Added to NRS by 1961, 496; A [1993.1721](#); [1999.3655](#))

NRS 561.035 Creation of Department; administration of chapter by Department.

1. The State Department of Agriculture is hereby created.
2. The administration of the provisions of this chapter is vested in the Department.
(Added to NRS by 1961, 496; A [1993.1721](#); [1999.3655](#))

STATE BOARD OF AGRICULTURE

NRS 561.045 Creation; number and appointment of members. There is hereby created in the Department a State Board of Agriculture composed of 11 members appointed by the Governor.
(Added to NRS by 1961, 496; A [1979.696](#); [1981.1299](#); [1989.802](#); [1993.1722](#); [1999.3655](#); [2003.2146](#))

NRS 561.055 Qualifications of members.

1. Three members of the Board must be actively engaged in range or semirange cattle production, one in dairy production, one in range or semirange sheep production, one in general farming, one in general agriculture, one in growing crops which are planted in rows spaced to permit mechanical cultivation, one in the control of pests, one in the petroleum industry and one in raising nursery stock.
2. Not more than two members may be residents of the same county, and the range or semirange cattle production members must be residents of different counties.
(Added to NRS by 1961, 496; A [1979.696](#); [1981.1299](#); [1989.802](#); [1999.1388](#); [2003.2146](#))

NRS 561.075 Compensation of members and employees.

1. While engaged in the business of the Department, each member of the Board is entitled to receive a salary of not more than \$80 per day, as fixed by the Board.
2. While engaged in the business of the Department, each member and employee of the Board is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.
3. The salaries, per diem allowances and travel expenses of the members and employees of the Board must be paid from any money available to the Department.
(Added to NRS by 1961, 497; A [1973.996](#); [1975.299](#); [1981.1989](#); [1985.438](#); [1989.1720](#); [1993.1722](#); [1999.3655](#))

NRS 561.085 Chair; Secretary.

1. The Board shall elect one of its members as Chair of the Board.
2. The Director shall act as the nonvoting recording Secretary of the Board and shall keep the minutes and audio recordings or transcripts of the proceedings of the Board.
(Added to NRS by 1961, 497; A [1993.1722](#); [1999.3656](#); [2005.1415](#))

NRS 561.095 Meetings; quorum; minutes and audio recordings or transcripts are public records.

1. The members of the Board may meet at such times and at such places as may be specified by the call of the Chair or a majority of the Board, and a meeting of the Board may be held regularly at least once every 3 months. In case of an emergency, special meetings may be called by the Chair or by the Director.

2. Six members of the Board constitute a quorum. A quorum may exercise all the authority conferred on the Board.
3. Minutes and audio recordings or transcripts of each meeting, regular or special, must be filed with the Department and, except as otherwise provided in [NRS 241.035](#), are public records. A copy of the minutes or audio recordings must be made available to a member of the public upon request at no charge pursuant to [NRS 241.035](#).

(Added to NRS by 1961, 497; A [1983.1447](#); [1985.624](#); [1989.802](#); [1993.1722](#); [1999.3656](#); [2005.1415](#); [2013.333](#))

NRS 561.105 Duties; rules and regulations.

1. The Board:
- Must be informed on and interested in the entire field of legislation and administration charged to the Department.
 - Shall report to the Governor and Legislature on all matters which it deems relevant to the Department, and concerning any specific matters previously requested by the Governor.
 - Shall advise and make recommendations to the Governor or the Legislature relating to the policies of the State concerning livestock and agriculture.
 - Shall establish the policy of the Department.
 - Shall adopt such regulations as it deems necessary for the operation of the Department and for carrying out the provisions of the laws and programs administered by the Department.
2. The Board shall prescribe rules for its management and government.

(Added to NRS by 1961, 497; A [1985.369](#); [1993.1722](#); [1999.3656](#))

DIVISION OF CONSUMER EQUITABILITY

NRS 561.108 Creation; administration and enforcement of various provisions of NRS concerning weights, measures and other standards.

1. The Division of Consumer Equitability is hereby created within the Department. The Director shall appoint an Administrator of the Division who shall administer all activities and services of the Division.

2. The Division of Consumer Equitability shall administer and enforce the provisions of [chapters 581](#) and [582](#) of NRS and [NRS 590.010](#) to [590.450](#), inclusive.

(Added to NRS by [2003.2329](#); A [2013.2471](#))

DIRECTOR

NRS 561.115 Appointment; unclassified service. The Director:

- Must be appointed by the Board with the approval of the Governor.
- Is in the unclassified service of the State.

(Added to NRS by 1961, 497; A [1971.2082](#); [1977.311](#); [1993.1723](#); [1999.3656](#))

NRS 561.125 Qualifications. The Director must be a graduate of an accredited college or university and have at least 5 years' experience in official agricultural or livestock regulatory work, public administration, accounting or business administration.

(Added to NRS by 1961, 497; A [1993.1723](#); [1995.432](#); [1999.3657](#))

NRS 561.135 Salary. The salary of the Director may be apportioned and paid from any money available to the Department unless otherwise provided by specific statute.

(Added to NRS by 1961, 497; A [1971.2082](#); [1985.438](#); [1993.1723](#); [1999.3657](#))

NRS 561.145 General powers and duties.

1. The Director shall direct and supervise all administrative and technical activities of the Department, and all programs administered by the Department as provided by law. Except as otherwise provided in [NRS 284.143](#), the Director shall devote his or her entire time to the duties of the Director's office, and shall follow no other gainful employment or occupation.

2. The Director may, within such limitations as may be provided by law, organize the Department into divisions and, from time to time, alter that organization and reassign responsibilities and duties as the Director may deem appropriate.

3. The Director shall:

- Coordinate the activities of the divisions of the Department.
- Report to the Board upon all matters pertaining to the administration of the Department.

(Added to NRS by 1961, 498; A [1993.1723](#); [1995.2317](#); [1999.3657](#); [2013.1631](#))

NRS 561.146 Issuance and enforcement of subpoenas.

1. Whenever the Director is authorized or required by law to conduct a hearing, the Director may issue subpoenas requiring the attendance of witnesses before him or her, together with all books, memoranda, papers and other documents relating to the matters for which the hearing is called, and take depositions within or without the state, as the circumstances of the case may require.

2. The district court in and for the county in which any hearing is being conducted by the Director may compel the attendance of witnesses, the giving of testimony and the production of books and papers as required by any subpoena issued by the Director.

3. In case of the refusal of any witness to attend or testify or produce any papers required by the subpoena, the Director may report to the district court in and for the county in which the hearing is pending by petition, setting forth:

- That notice has been given of the time and place of attendance of the witness or the production of the books and papers;
- That the witness has been subpoenaed in the manner prescribed in this section; and

(c) That the witness has failed and refused to attend or produce the papers required by subpoena before the Director in the hearing named in the subpoena, or has refused to answer questions propounded to him or her in the course of the hearing,

and asking an order of the court compelling the witness to attend and testify or produce the books or papers before the Director.

4. The court, upon petition of the Director, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in the order, the time to be not more than 10 days after the date of the order, and then and there show cause why the witness has not attended or testified or produced the books or papers before the Director. A certified copy of the order must be served upon the witness. If it appears to the court that the subpoena was regularly issued by the Director, the court may thereupon enter an order that the witness appear before the Director at the time and place fixed in the order and testify or produce the required books or papers, and upon failure to obey the order the witness must be dealt with as for contempt of court.

(Added to NRS by [1967.420](#); A [1981.89](#); [1993.1723](#); [1999.3657](#))

NRS 561.147 Prohibition or restriction of movement of infested article; treatment to devitalize or sterilize. If any feed, grain, hay, machinery or other article is found to be infested with, or the possible carrier of, the propagating parts of any noxious weed, injurious insect pest or plant disease, and the Director determines that movement of the article into any area of the State will be damaging or will jeopardize the agricultural industry of the area, the Director may prohibit or restrict movement of the infested article or may prescribe treatment to devitalize or sterilize the infested article.

(Added to NRS by [1965.31](#); A [1993.1724](#); [1997.484](#); [1999.3658](#))

NRS 561.148 Participation in investigation and prosecution of theft or destruction of livestock; inspections. The Director may participate in the investigation and prosecution of any suspected theft, mutilation or malicious destruction of livestock, and may temporarily stop the movement of livestock and carcasses for the purpose of inspection.

(Added to NRS by [1967.282](#); A [1993.1724](#); [1999.3658](#))

NRS 561.149 Depositions. In all cases where the Director is required or authorized by law to proceed upon a verified complaint, the Director, or the Director's deputy so authorized by the Director, may take depositions, within or without the State, as the circumstances of the case may require.

(Added to NRS by [1965.409](#); A [1981.90](#); [1993.1724](#); 1999; 3658)

NRS 561.153 Prescription of fees to cover costs of providing certain services, products or publications; procedures for billing or collecting fees. The Director may by regulation:

1. Prescribe, in addition to any other fees prescribed by the Director pursuant to titles 49, 50 and 51 of NRS, a fee to cover the costs incurred by the Department for any service, product or publication provided by the Department pursuant to titles 49, 50 and 51 of NRS or the regulations adopted pursuant thereto; and

2. Adopt such procedures as the Director may deem appropriate for the billing or collection of such fees.

(Added to NRS by [1969.138](#); A [1979.292](#); [1993.1724](#); [1999.3597](#), [3658](#); [2003.1430](#))

NRS 561.155 Ex officio State Sealer of Consumer Equitability. The Director is hereby designated and appointed ex officio State Sealer of Consumer Equitability, and shall carry out all the duties of the State Sealer of Consumer Equitability as provided by law.

(Added to NRS by 1961, 498; A [1993.1725](#); [1999.3658](#); [2013.2472](#))

NRS 561.165 Ex officio State Quarantine Officer. The Director is hereby designated and appointed ex officio State Quarantine Officer, and shall carry out all the duties of the State Quarantine Officer as provided by law.

(Added to NRS by 1961, 498; A [1993.1725](#); [1999.3659](#))

NRS 561.185 Designation, powers and duties of deputy. The Director may designate an employee of the Department to act as the Director's deputy. In case of the absence of the Director, or the Director's inability from any cause to discharge the powers and duties of his or her office, those powers and duties devolve upon the Director's deputy.

(Added to NRS by 1961, 499; A [1993.1725](#); [1999.3659](#))

MANAGEMENT OF ACTIVITIES; POWERS AND DUTIES

NRS 561.205 Appointment of person to manage activities relating to protection and promotion of livestock industry; unclassified service; qualifications. The Director shall appoint a person to manage the activities of the Department relating to the protection and promotion of the livestock industry of the State of Nevada. The person is in the unclassified service of the State and must:

1. Be appointed on the basis of merit;

2. Be a graduate of a veterinary school or college approved by the American Veterinary Medical Association; and

3. Have at least 5 years' experience in official work for regulating and controlling diseases in livestock.

(Added to NRS by 1961, 498; A [1985.438](#); [1991.1353](#); [1993.1725](#); [1999.3659](#); [2013.1320](#))

NRS 561.209 Appointment of person to manage activities relating to brands and marks and brand inspections; qualifications; unclassified service. The Director shall appoint a person to manage the activities of the Department relating to brands and marks and brand inspection in the State of Nevada. The person must be appointed on the basis of merit and is in the unclassified service of the State.

(Added to NRS by [1971.2082](#); A [1991.1354](#); [1993.1725](#); [1999.3659](#); [2013.1320](#))

NRS 561.214 Appointment of person to manage activities relating to protection and promotion of agricultural industry; classified service; qualifications. The Director shall appoint a person to manage the activities of the Department relating to the protection and promotion of the agricultural industry of the State of Nevada. The person is in the classified service of the State and must be:

1. Appointed on the basis of merit; and

2. A graduate of an accredited college or university with a major in agricultural business or in one of the agricultural sciences.

(Added to NRS by 1961, 499; A [1985.438](#); [1991.1354](#); [1993.1725](#); [1999.3659](#); [2013.1320](#))

NRS 561.218 Appointment of person to manage activities relating to natural resources and land use planning; qualifications; unclassified service; duties.

1. The Director shall appoint a person to manage the activities of the Department relating to natural resources and land use planning. The person must be appointed on the basis of merit and is in the unclassified service of the State.

2. The person appointed shall:

(a) Develop cooperative agreements and working relationships with federal and state agencies and local governments for land use planning and the preservation and allocation of natural resources necessary to advance and protect the livestock and agricultural industries in this State.

(b) Monitor gatherings of estrays and feral livestock conducted pursuant to the provisions of [NRS 569.040](#) to [569.130](#), inclusive, and assist district brand inspectors in identifying estrays before they are sold or given a placement or other disposition through a cooperative agreement established pursuant to [NRS 569.031](#) for the management, control, placement or disposition of estrays and feral livestock.

(c) Provide the members of the general public with information relating to the activities of the Department and solicit recommendations from the members of the general public and advisory groups concerning those activities.

(d) Make assessments of the level of competition between livestock and wildlife for food and water and shall collect data concerning the movement of livestock.

(e) Participate in land use planning relating to the competition for food and water between livestock and wildlife to ensure the maintenance of the habitat of both livestock and wildlife.

(f) Present testimony, conduct research and prepare reports for the Governor, the Legislature, the Director and any other person or governmental entity as directed by the Director.

(g) Develop and carry out a program to educate the members of the general public concerning the programs administered by the Department, including programs for the management and control of estrays and feral livestock.

(h) Make proposals to the Director for the amendment of the regulations adopted by the Board pursuant to [NRS 561.105](#).

(i) Perform such other duties as directed by the Director.

3. As used in this section:

(a) "Estray" has the meaning ascribed to it in [NRS 569.0075](#).

(b) "Feral livestock" has the meaning ascribed to it in [NRS 569.008](#).

(Added to NRS by [1997.1404](#); A [1999.3659](#); [2003.2146](#); [2011.2489](#); [2013.1320](#), [1865](#))

NRS 561.225 Appointment of staff; designation of field agents and inspectors.

1. The Director shall appoint such technical, clerical and operational staff as the execution of the Director's duties and the operation of the Department may require.

2. The Director may designate such department personnel as are required to be field agents and inspectors in the enforcement of the provisions of Titles 49 and 50 of NRS and [chapters 581, 582, 583, 584, 586, 587, 588](#) and [590](#) of NRS.

(Added to NRS by 1961, 499; A [1967, 695](#); [1985, 438](#); [1993, 1725, 2540](#); [1995, 703](#); [1999, 3660](#); [2001, 1731](#); [2013, 1321, 1801](#))

NRS 561.235 Offices: Location, establishment and maintenance.

1. The Department shall maintain a principal office and may maintain district or branch offices throughout the State if they are necessary for the efficient operation of the Department.

2. The Director shall select the location of those offices and may enter into such leases or other agreements as may be necessary to establish them. The leases or agreements must be executed in cooperation with the Buildings and Grounds Section of the State Public Works Division of the Department of Administration and in accordance with the provisions of [NRS 331.110](#).

(Added to NRS by 1961, 499; A 1963, 1070; [1973, 1476](#); [1983, 280](#); [1993, 1726](#); [1999, 3661](#); [2011, 2988](#))

NRS 561.245 Cooperation and agreements with Federal Government, agencies, political subdivisions and natural persons; grants and subgrants. In the administration of various programs by the Department as provided by law, the Department may:

1. Cooperate, financially or otherwise, and execute contracts or agreements with the Federal Government or any federal department or agency, any other state department or agency, a county, a city, a public district or any political subdivision of this State, a public or private corporation, a natural person or a group of natural persons. The cooperation does not relieve any person, department, agency, corporation or political subdivision of any responsibility or liability existing under any provision of law.

2. In addition to any money or other contribution accepted pursuant to [NRS 561.255](#), apply for or accept any gifts, grants, donations or contributions from any source.

3. Except as otherwise provided in [NRS 561.335](#) and [561.355](#), make grants or subgrants of money to any person, department, agency, corporation or political subdivision specified in subsection 1.

(Added to NRS by 1961, 499; A [1993, 1726](#); [1999, 3661](#); [2007, 649](#))

NRS 561.255 Acceptance of money and other contributions; deposit.

1. The Department may accept, for programs administered by it, any money or other contribution which is made available by:

- (a) Any Act of the Congress of the United States;
- (b) A county, city, public district or any political subdivision of this state; or
- (c) A public or private corporation or association or by any person.

2. Any money or other contribution accepted by the Department under the provisions of this section must be deposited with the State Treasurer for credit to the appropriate fund and used for a program of the Department.

(Added to NRS by 1961, 499; A [1977, 232](#); [1993, 1726](#); [1999, 3661](#))

NRS 561.265 Publication of general orders, rules and regulations. All general orders, rules or regulations applying to the State, a county or a district shall be published at least twice in a newspaper having a general circulation in the area affected by the order, rule or regulation. Such publication shall constitute legal notice of the order, rule or regulation, and shall be in accordance with the provisions of [NRS 238.010](#) to [238.080](#), inclusive.

(Added to NRS by 1961, 500)

NRS 561.275 Exhibits and displays at fairs and exhibitions; agreements concerning exhibitions.

1. The Department may exhibit and display property, objects, articles, things, livestock and commodities at exhibits, fairs, expositions and places of public or private exhibition.

2. The Department may negotiate, consult with and agree with institutions, departments, officers, persons and corporations of and in the State of Nevada and elsewhere concerning quarters for and the preservation, care, transportation, storing, custody, display and exhibition of property, objects, articles, things, livestock and commodities, and concerning the terms and cost thereof, the manner, time, place and extent thereof, and the return thereof.

(Added to NRS by 1961, 500; A [1993, 1727](#); [1999, 3661](#))

NRS 561.285 Collection and dissemination of information; confidential proprietary information.

1. Except as otherwise provided in subsection 2, the Department may collect and disseminate, throughout the State, information calculated to educate and benefit the general public and the livestock and agricultural industries of the State of Nevada, and information pertaining to any program administered by the Department.

2. Except as otherwise provided in [NRS 239.0115](#) and [571.160](#), all proprietary information concerning:

- (a) Numbers of animals;
- (b) The quantity of production;
- (c) Fiscal or tax matters; or
- (d) The security of any facility,

which specifically relates to a natural person, company, corporation or other nonpublic entity, and which is collected by the Department pursuant to the provisions of titles 49 and 50 of NRS and [chapters 581, 582, 583, 584, 586, 587, 588](#) and [590](#) of NRS, is confidential.

(Added to NRS by 1961, 500; A [1993, 1727](#); [1999, 3662](#); [2005, 524](#); [2007, 2118](#); [2013, 1801](#))

NRS 561.295 Issuance and enforcement of hold orders by Director; hearings; judicial review.

1. The Director may issue and enforce a written hold order to the owner or custodian of any agricultural commodity, livestock, livestock product, appliance, material or article which the Director finds is in violation of any of the provisions of law administered by the Department or which the Director finds to be infested with a pest or infected with a disease. The order may prohibit further sale or movement or require that the agricultural commodity, livestock, livestock product, appliance, material or article to be held on the premises or at a designated premise until the Director has evidence that the order has been complied with, and upon compliance, the order must be dissolved.

2. It is unlawful to move or otherwise dispose of any agricultural commodity, livestock, livestock product, appliance, material or article except with the permission of the Director and for the purposes specified therein. Upon demand, the owner or custodian of the agricultural commodity, livestock, livestock product, appliance, material or article has the right to a hearing before the Director relative to the justification of any such order. The provisions of this section do not limit the right of the Department to proceed as authorized by law. Any decision of the Director issued in accordance with this section is subject to review by any court of competent jurisdiction.

(Added to NRS by 1961, 500; A [1993, 1727](#); [1999, 3662](#))

NRS 561.301 Aquatic agriculture: Promotion, protection and regulation. Aquatic agriculture, which includes the propagation, cultivation and harvesting of plants or animals indigenous to water in a man-made, controlled or selected aquatic environment for the commercial production of food, is one of the agricultural enterprises conducted in this state. The Department shall promote, protect and regulate aquatic agriculture to the extent that the Department is authorized to regulate other forms of agriculture and other agricultural products. The Department shall confer with the Department of Wildlife regarding aquatic agriculture to prevent any adverse effects on existing aquatic animals.

(Added to NRS by [1985.624](#); A [1993.1727](#); [1999.3662](#); [2003.1582](#); [2015.3608](#))

NRS 561.305 Laboratories: Establishment, maintenance and purposes; examination of samples for residents. The Department shall establish and maintain a laboratory for the following purposes:

1. The diagnosis of infectious, contagious and parasitic diseases of animals, as may be necessary under the provisions of [chapter 571](#) of NRS.
2. The diagnosis of infectious, contagious and parasitic diseases of bees, as may be necessary under the provisions of [chapter 552](#) of NRS.
3. The diagnosis of infectious, contagious and destructive diseases of agricultural commodities, and infestations thereof by pests, as may be necessary under the provisions of [chapter 554](#) of NRS.
4. The survey and identification of insect pests, plant diseases and noxious weeds, and the maintenance of a herbarium, as may be necessary under the provisions of [NRS 555.005](#) to [555.249](#), inclusive.
5. The testing of pesticides, as may be necessary under the provisions of [NRS 555.2605](#) to [555.460](#), inclusive, and [chapter 586](#) of NRS.
6. The safekeeping and maintenance of official standards of weights and measures, as may be necessary under the provisions of [chapter 581](#) of NRS.
7. The testing and grading of agricultural products and the testing of the purity and germinating power of agricultural seeds and the testing of the spray residue contained in produce, as may be necessary under the provisions of [chapter 587](#) of NRS.
8. The analysis and testing of commercial fertilizers and agricultural minerals, as may be necessary under the provisions of [chapter 588](#) of NRS.
9. The analysis and testing of petroleum products or motor vehicle fuel, as may be necessary under the provisions of [NRS 590.010](#) to [590.150](#), inclusive.
10. The analysis and testing of antifreeze, as may be necessary under the provisions of [NRS 590.340](#) to [590.450](#), inclusive.
11. Any laboratory examinations, diagnoses, analyses or testing as may be deemed necessary by the Director and which can be made with equipment available in any such laboratory. Any resident of this State may submit samples to the Department for examination, diagnosis, analysis or testing, subject to such rules and regulations as may be adopted by the Director.
(Added to NRS by 1961, 501; A [1969.363, 634](#); [1971.1257](#); [1975.596](#); [1993.1728](#); [1999.2850, 3662](#); [2003.413, 2147](#); [2005.661](#); [2015.3608](#))

NRS 561.315 Costs for examination of samples by laboratory. The Director may fix the maximum number of samples that may be examined, diagnosed, analyzed or tested in the Department's laboratory free of charge for any one natural person, group or corporation in any one period, and may fix reasonable fees for samples submitted in excess of those tested free of charge.

(Added to NRS by 1961, 501; A [1993.1728](#); [1999.3663](#))

NRS 561.325 Offer of reward for arrest and conviction of person stealing livestock.

1. The Department may offer a standing reward, or a reward for each class of livestock, not to exceed \$1,500, for information leading to the arrest and conviction of each person engaged in stealing livestock. The reward must be paid to the person who provides the information leading to the arrest and conviction of the person immediately upon the conviction of the person so arrested.

2. The Director may establish such further conditions and rules relating to the offering of such rewards and the payments thereof as the Director may deem proper.

(Added to NRS by 1961, 505; A [1973.203](#); [1993.1729](#); [1995.10](#); [1999.3663](#))

FINANCES AND PROGRAMS

NRS 561.335 Revolving Account for Agriculture Working Capital.

1. The Revolving Account for Agriculture Working Capital in the amount of \$10,000 is hereby created for the use of the Department.

2. The Account must be used specifically for carrying out the provisions of [NRS 569.005](#) to [569.080](#), inclusive, and [569.100](#) to [569.130](#), inclusive.

3. The Account may be used for:

(a) Paying the expenses of all programs and laws administered by the Department, except expenses related to strays and feral livestock which are required to be paid pursuant to [NRS 569.090](#). The Account must be reimbursed promptly from the proper funds in the State Treasury by claims paid as other claims against the State are paid for any expenses paid pursuant to this paragraph.

(b) Providing advance money to officers and employees of the Department for travel expenses and subsistence allowances arising out of their official duties or employment. Such an advance constitutes a lien in favor of the Department upon the accrued wages of the requesting officer or employee in an amount equal to the sum advanced, but the Director may advance more than the amount of the accrued wages of the officer or employee. Upon the return of the officer or employee, the officer or employee is entitled to receive any authorized expenses and subsistence in excess of the amount advanced, and a sum equal to the advance must be paid into the Revolving Account for Agriculture Working Capital.

(c) Making grants and loans for any purpose authorized by subsection 2 of [NRS 561.445](#). Any loan or grant made pursuant to this paragraph must be reimbursed promptly, as other claims against the State are paid, from the money deposited in the State Treasury pursuant to subsection 1 of [NRS 561.445](#).

4. The Revolving Account for Agriculture Working Capital must be deposited in a bank or credit union qualified to receive deposits of public money and the deposit must be secured by a depository bond satisfactory to the State Board of Examiners.

(Added to NRS by 1961, 501; A [1967.359](#); [1983.400](#); [1989.1095](#); [1993.1729](#); [1995.246](#); [1999.1512, 3664](#); [2003.2148](#))

NRS 561.344 Livestock Inspection Account.

1. The Livestock Inspection Account is hereby created in the State General Fund for the use of the Department.

2. The following special taxes, fees and other money must be deposited in the Livestock Inspection Account:

(a) All special taxes on livestock as provided by law.

(b) Fees and other money collected pursuant to the provisions of [chapter 564](#) of NRS.

(c) Fees collected pursuant to the provisions of [chapter 565](#) of NRS.

(d) Fees collected pursuant to the provisions of [chapter 577](#) of NRS.

(e) Unclaimed proceeds from the sale of strays and feral livestock by the Department pursuant to [NRS 569.005](#) to [569.130](#), inclusive, or proceeds required to be deposited in the Livestock Inspection Account pursuant to a cooperative agreement established pursuant to [NRS 569.031](#) for the management, control, placement or disposition of strays and feral livestock.

(f) Fees collected pursuant to the provisions of [chapter 573](#) of NRS.

(g) Fees collected pursuant to the provisions of [chapter 576](#) of NRS.

(h) Laboratory fees collected for the diagnosis of infectious, contagious and parasitic diseases of animals, as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [chapter 571](#) of NRS.

3. Expenditures from the Livestock Inspection Account must be made only for carrying out the provisions of this chapter and [chapters 564, 565, 569, 571, 573, 576](#) and [577](#) of NRS.

4. The interest and income earned on the money in the Livestock Inspection Account, after deducting any applicable charges, must be credited to the Account.

(Added to NRS by 1961, 502; A [1969, 770](#); [1983, 401](#); [1985, 157](#); [1987, 147](#); [1989, 272](#); [1991, 9, 1790](#); [1993, 294, 1729](#); [1995, 579](#); [1999, 3664](#); [2003, 2149](#); [2013, 1322, 1866](#); [2015, 2464](#))

NRS 561.355 Plant Industry Program: Establishment; source and use of fees and other money.

1. The Plant Industry Program is hereby established.
 2. The following fees and money must be used in the Plant Industry Program:
 - (a) Except as otherwise provided in [NRS 552.095](#) and [555.570](#), fees and money collected pursuant to the provisions of [chapters 552, 555 and 587](#) of NRS.
 - (b) Laboratory fees collected for the diagnosis of infectious, contagious and parasitic diseases of bees, as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [chapter 552](#) of NRS.
 - (c) Laboratory fees collected for the diagnosis of infectious, contagious and destructive diseases of agricultural commodities, and infestations thereof by pests, as authorized by [NRS 561.305](#), and as may be necessary pursuant to the provisions of [chapter 554](#) of NRS.
 - (d) Laboratory fees collected for the survey and identification of insect pests, plant diseases and noxious weeds, as authorized by [NRS 561.305](#), and as may be necessary pursuant to the provisions of [NRS 555.005](#) to [555.249](#), inclusive.
 - (e) Laboratory fees collected for the testing of the purity and germinating power of agricultural seeds, as authorized by [NRS 561.305](#), and as may be necessary pursuant to the provisions of [NRS 587.015](#) to [587.123](#), inclusive.
 - (f) Money received from a tax on the transfer of real property imposed pursuant to [NRS 375.026](#).
 3. Expenditures for the Plant Industry Program must be made only for the purposes of carrying out the provisions of this chapter and [chapters 552, 554, 555 and 587](#) of NRS.
 4. The money credited to the Program pursuant to [NRS 375.026](#) must be allocated for disbursement to each county in proportion to the amount of money collected in that county and must only be used:
 - (a) By the Department for programs on the exclusion, detection and control of:
 - (1) Invasive species; and
 - (2) Endemic pests and weeds designated by the Director; and
 - (b) For grants to local governments and nonprofit organizations for the control or management of such species, pests and weeds.
 5. As used in this section:
 - (a) "Invasive species" means any living organism not native to this State that may present a threat to the economy, environment or public health of this State.
 - (b) "Local government" has the meaning ascribed to it in [NRS 237.050](#).
- (Added to NRS by 1961, 502; A [1967, 315](#); [1969, 364](#); [1977, 232](#); [2001, 2154](#); [2003, 3492](#); [2005, 1525](#); [2009, 11](#); [2015, 3609](#))

NRS 561.375 Program for the Control of Pests and Plant Diseases: Establishment; source and use of money.

1. The Program for the Control of Pests and Plant Diseases is hereby established.
 2. Money accepted by the Department under the provisions of [NRS 555.010](#) to [555.460](#), inclusive, from the Federal Government or any federal department or agency, a county, a city, a public district or any political subdivision of this State, a public or private corporation, or a natural person, may be used in the Program for the Control of Pests and Plant Diseases.
 3. Expenditures for the Program for the Control of Pests and Plant Diseases may be made only to carry out the provisions of this chapter and [chapters 552, 554, 555 and 587](#) of NRS.
- (Added to NRS by 1961, 503; A [1977, 232](#); [1993, 1730](#); [1999, 3665](#); [2003, 541](#); [2013, 1322](#))

NRS 561.385 Agriculture Registration and Enforcement Account.

1. The Agriculture Registration and Enforcement Account is hereby created in the State General Fund for the use of the Department.
 2. The following fees must be deposited in the Agriculture Registration and Enforcement Account:
 - (a) Except as otherwise provided in [NRS 586.270](#) and [586.940](#), fees collected pursuant to the provisions of [chapter 586](#) of NRS.
 - (b) Fees collected pursuant to the provisions of [chapter 588](#) of NRS.
 - (c) Fees collected pursuant to the provisions of [NRS 590.340](#) to [590.450](#), inclusive.
 - (d) Laboratory fees collected for the testing of pesticides as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [NRS 555.2605](#) to [555.460](#), inclusive, and, except as otherwise provided in [NRS 586.270](#) and [586.940](#), [chapter 586](#) of NRS.
 - (e) Laboratory fees collected for the analysis and testing of commercial fertilizers and agricultural minerals, as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [chapter 588](#) of NRS.
 - (f) Laboratory fees collected for the analysis and testing of petroleum products or motor vehicle fuel, as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [NRS 590.010](#) to [590.150](#), inclusive.
 - (g) Laboratory fees collected for the analysis and testing of antifreeze, as authorized by [NRS 561.305](#), and as are necessary pursuant to the provisions of [NRS 590.340](#) to [590.450](#), inclusive.
 3. Expenditures from the Agriculture Registration and Enforcement Account may be made to carry out the provisions of this chapter, [NRS 555.2605](#) to [555.460](#), inclusive, or [chapters 586, 588 and 590](#) of NRS or for any other purpose authorized by the Legislature.
- (Added to NRS by 1961, 503; A [1971, 451, 1258](#); [1975, 597](#); [1983, 402](#); [1991, 1790](#); [1993, 1730](#); [1999, 3665](#); [2003, 414, 617](#); [2005, 662](#); [2010, 26th Special Session, 23](#); [2015, 3610](#))

NRS 561.405 Rural Rehabilitation Fund. The Rural Rehabilitation Fund is hereby created as a special revenue fund in the State Treasury for the use of the Department in carrying out the provisions of [NRS 561.425](#) to [561.465](#), inclusive.

(Added to NRS by 1961, 504; A [1993, 1731](#); [1997, 126](#); [1999, 3666](#))

NRS 561.407 Account for the Promotion of Beef.

1. The Account for the Promotion of Beef is hereby created in the State General Fund.
 2. The interest and income earned on the money in the Account for the Promotion of Beef, after deducting any applicable charges, must be credited to the Account.
- (Added to NRS by [1969, 771](#); A [1979, 118](#); [1981, 1013](#); [1983, 402](#); [1903, 1904](#); [1985, 745](#); [1987, 148](#); [1989, 316](#); [1991, 1791](#))

NRS 561.409 Alfalfa Seed Research and Promotion Account.

1. The Alfalfa Seed Research and Promotion Account is hereby created in the State General Fund. The proceeds of the special assessment levied pursuant to [NRS 587.155](#) must be credited to the Alfalfa Seed Research and Promotion Account and all refunds made pursuant to [NRS 587.155](#) must be paid from the Alfalfa Seed Research and Promotion Account.
 2. Expenditures from the Alfalfa Seed Research and Promotion Account may be made only for:
 - (a) Alfalfa seed research and marketing promotion programs;
 - (b) Administrative, per diem and travel expenses of the Alfalfa Seed Advisory Board; and
 - (c) Reimbursement to the Department for administrative expenses of the Department, not to exceed 5 percent of the assessments collected.
- (Added to NRS by [1975, 494](#); A [1977, 45](#); [1983, 402](#); [1991, 1791](#); [1993, 1731](#); [1999, 3666](#))

NRS 561.411 Account for License Plates for the Promotion of Agriculture Within This State.

1. The Account for License Plates for the Promotion of Agriculture Within This State is hereby created in the State General Fund. The Director shall administer the Account.

2. The money in the Account does not lapse to the State General Fund at the end of a fiscal year. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

3. The money in the Account must be used only for the promotion of agriculture within this State and must not be used to replace or supplant money available from other sources. The Director may provide grants from the Account to other public agencies and nonprofit organizations to carry out the provisions of this section.

(Added to NRS by [1999.1168](#); A [2009.352](#))

NRS 561.412 Separate account for certain fees.

1. In addition to the inspection fees and other money transferred pursuant to [NRS 590.120](#), all fees and other money collected pursuant to the provisions of [NRS 581.001](#) to [581.395](#), inclusive, and [582.001](#) to [582.210](#), inclusive, must be deposited in the State Treasury and credited to a separate account in the State General Fund for the use of the Department.

2. Expenditures from the account must be made only for carrying out the provisions of this chapter and [chapters 581](#) and [582](#) of NRS and [NRS 590.010](#) to [590.330](#), inclusive.

3. Money in the account does not lapse to the State General Fund at the end of a fiscal year. The interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account.

(Added to NRS by [2005.1525](#))

NRS 561.415 Legislative appropriations; payment of claims.

1. Money to carry out the provisions of this chapter and to support the Department and the programs administered by it, may be provided by direct legislative appropriation from the General Fund.

2. All money in any fund in the State Treasury available to the Department must be paid out on claims approved by the Director as other claims against the State are paid.

3. All money in the Revolving Account for Agriculture Working Capital must be paid out by checks signed by the Director and by a deputy, or by two deputies designated by the Director for that purpose.

(Added to NRS by 1961, 504; A [1983.403](#); [1993.1731](#); [1999.3666](#))

NRS 561.421 Remittance of money collected on behalf of Department in remote areas of State. Any field agent, inspector, or other officer or employee of the Department, who collects currency in payment of any taxes, assessments, proceeds of sale, fees or other charges imposed pursuant to the provisions of this Title in an area of the State so remote that the currency can only be transmitted to the Department by mail, may mail a check in lieu of the amount collected in currency.

(Added to NRS by [1989.955](#); A [1993.1731](#); [1999.3666](#))

NRS 561.423 Garlic and Onion Research and Promotion Account.

1. The Garlic and Onion Research and Promotion Account is hereby created in the State General Fund. The proceeds of the special assessment levied pursuant to [NRS 556.070](#) must be credited to the Account.

2. Expenditures from the Account may be made only for:

(a) Garlic and onion research programs and marketing-promotion programs;

(b) Administrative, per diem and travel expenses of the Garlic and Onion Growers' Advisory Board; and

(c) Reimbursement to the Department for administrative expenses of the Department, not to exceed 5 percent of the assessments collected.

(Added to NRS by [1995.1599](#); A [1999.3667](#); [2003.582](#))

LIQUIDATION OF RURAL REHABILITATION TRUST

NRS 561.425 Application for and receipt of trust assets by Department. The Department may act as the agency of and on behalf of and for the State of Nevada to make application to and to receive from the Secretary of Agriculture of the United States, or any other federal officer properly authorized by the Federal Government and pursuant and subject to the provisions of that certain Act of Congress, approved May 3, 1950, entitled "An Act to provide for the liquidation of the trust under the transfer agreements with the state rural rehabilitation corporations, and for other purposes," being c. 152, 64 Stat. 98, 40 U.S.C. §§ 440 to 444, inclusive, the trust assets, either money or property, held by the United States as trustee for and in behalf of the defunct Nevada rural rehabilitation corporation.

(Added to NRS by 1961, 505; A [1993.1732](#); [1999.3667](#))

NRS 561.435 Agreements with federal Secretary of Agriculture for use of trust assets to carry out purposes of Bankhead-Jones Farm Tenant Act. The Department may:

1. Enter into agreements with the Secretary of Agriculture of the United States pursuant to section 2(f) of c. 152, 64 Stat. 98, 40 U.S.C. § 440(f), upon such terms and conditions and for such periods as may be mutually agreeable, authorizing the Secretary of Agriculture of the United States to accept, administer, expend and use in the State of Nevada all or any part of those trust assets or any other money of the State of Nevada which may be appropriated for such uses for carrying out the purposes of the applicable provisions of the Bankhead-Jones Farm Tenant Act, being 7 U.S.C. §§ 1000 to 1031, inclusive, as it is now or hereafter may be amended.

2. Do anything necessary to carry out the purposes of those agreements.

(Added to NRS by 1961, 505; A [1993.1732](#); [1999.3667](#))

NRS 561.445 Use of money by Department if not administered by federal Secretary of Agriculture.

1. Notwithstanding any other provisions of law, the money and proceeds of the trust assets which are not authorized to be administered by the Secretary of Agriculture of the United States under the provisions of [NRS 561.435](#) must be received by the Department and by it forthwith deposited with the State Treasurer.

2. Such money is hereby appropriated and may be expended or obligated by the Department for the purposes of [NRS 561.435](#) or for use by the Department for such of the rural rehabilitation purposes permissible under the charter of the now defunct Nevada Rural Rehabilitation Corporation as may from time to time be agreed upon by the Department and the Secretary of Agriculture of the United States, subject to the applicable provisions of c. 152, 64 Stat. 98, 40 U.S.C. §§ 440 to 444, inclusive, and the applicable provisions of the Bankhead-Jones Farm Tenant Act.

(Added to NRS by 1961, 505; A [1993.1732](#); [1999.3667](#))

NRS 561.455 Powers of Department.

1. The Department may:

(a) Collect, compromise, adjust or cancel claims and obligations arising out of or administered under the provisions of [NRS 561.425](#) to [561.465](#), inclusive, or under any mortgage, lease, contract or agreement entered into or administered pursuant to [NRS 561.425](#) to [561.465](#), inclusive, and, if in its judgment necessary and advisable, pursue the claims and obligations to final collection in any court having jurisdiction.

(b) Bid for and purchase at any execution, foreclosure or other sale, or otherwise acquire property upon which the Department has a lien because of a judgment or execution, or which is pledged, mortgaged, conveyed or which otherwise secures any loan or other indebtedness owing to or acquired by the Department pursuant to [NRS 561.425](#) to [561.465](#), inclusive.

(c) Accept title to any property so purchased or acquired for and on behalf of the State and may operate or lease the property for such period as may be deemed necessary to protect the investment therein, and may sell or otherwise dispose of the property in a manner consistent with the provisions of [NRS 561.425](#) to [561.465](#), inclusive.

2. The authority contained in this section may be delegated to the Secretary of Agriculture of the United States with respect to money or assets authorized to be administered and used by the Secretary under agreements entered into pursuant to [NRS 561.435](#).
(Added to NRS by 1961, 506; A [1993, 1732](#); [1999, 3668](#))

NRS 561.465 United States and federal Secretary of Agriculture exempt from liability. The United States, and the Secretary of Agriculture thereof, must be held free from liability as a result of the transfer of the assets to the Department pursuant to [NRS 561.425](#) to [561.465](#), inclusive.

(Added to NRS by 1961, 506; A [1993, 1733](#); [1999, 3668](#))

DONATED COMMODITIES AND SUPPLEMENTAL FOOD PROGRAM

NRS 561.485 Donated Commodities Account.

1. The Donated Commodities Account is hereby created in the State General Fund for the use of the Director in acquiring commodities donated by the Federal Government and its agencies and to purchase and distribute nutritious food in accordance with [NRS 561.495](#).

2. Except as otherwise provided in [NRS 561.489](#), if a tax-supported or nonprofit school or other health or educational institution receives a donated commodity secured through the Department, the Director shall charge the school or institution a fee in an amount sufficient to repay part or all of the cost of transportation and other costs incurred in acquiring the commodity.

3. All money received by the Director pursuant to this section must be deposited in the State Treasury for credit to the Donated Commodities Account. The interest and income earned on the money in the Account must be credited to the Account.

4. Costs of freight, storage, handling charges and other administrative expenses, including compensation of Department personnel, incidental to the acquisition of the donated commodities and the administration of the Supplemental Food Program may be paid from the Donated Commodities Account.

(Added to NRS by [2013, 2494](#))

NRS 561.489 Donation of certain commodities to certain organizations created for religious, charitable or educational purposes. The Director may donate commodities that he or she determines have reached the end of their useful lives to any organization described in [NRS 372.3261](#).

(Added to NRS by [2013, 2495](#))

NRS 561.495 Supplemental Food Program: Establishment; purpose; gifts, grants and donations; operations; purchases and distribution.

1. The Director shall establish a Supplemental Food Program to supplement the supply of food and the services provided by programs which provide food to indigent persons, including, without limitation, a food bank, emergency food pantry, soup kitchen and homeless shelter.

2. The Director may solicit and accept any gift, grant or donation for the Program. Upon receipt of any gift, grant or donation of money, the amount received must be deposited in the Donated Commodities Account created by [NRS 561.485](#). Gifts, grants or donations deposited in the Account must be used in the same manner as other money in the Account.

3. The Director may maintain and operate central supply services at any center, including a central warehouse or storeroom service.

4. In carrying out the Program, the Director shall purchase and distribute nutritious food to persons in this State who cannot afford to purchase that food. Except as otherwise provided in subsection 2 of [NRS 561.485](#), the money in the Account must be used in the following proportions:

(a) Not less than 95 percent must be used to purchase and distribute nutritious foods which are infrequently donated or which will supplement the food which is donated, including, but not limited to, peanut butter, tuna fish, fruit, vegetables, dry milk and stew; and

(b) Any remainder may be used to provide educational information regarding nutrition and the purchase and preparation of food.

(Added to NRS by [2013, 2495](#))