

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1543

Short Title: Poultry/Ratite Dealers Registration.

(Public)

Sponsors: Representatives Mitchell; and Brown.

Referred to: Agriculture, if favorable, Appropriations.

May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE REGISTRATION OF DEALERS IN POULTRY AND
2 RATITES, TO PROHIBIT SPECIALTY MARKET OPERATORS FROM
3 PERMITTING UNREGISTERED POULTRY OR RATITE DEALERS FROM
4 OPERATING AT SPECIALTY MARKETS, AND TO APPROPRIATE FUNDS
5 FOR THE ENFORCEMENT OF THESE REGISTRATION REQUIREMENTS.
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7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 106-540(3) reads as rewritten:

9 "(3) Regulate hatching egg dealers, chick dealers, poult dealers, poultry
10 dealers, ratite dealers, and jobbers."

11 Section 2. G.S. 106-541 reads as rewritten:

12 "**§ 106-541. Definitions.**

13 For the purpose of this ~~Article, a hatchery shall be defined as~~ Article, the following
14 definitions apply:

15 (1) 'Hatchery' means any establishment that operates hatchery equipment
16 for the production of baby chicks or poults.

17 (2) ~~A hatching~~ 'Hatching egg dealer, chick dealer or jobber shall mean dealer,
18 or jobber' means any person, ~~firm~~ firm, or corporation that buys hatching
19 eggs, baby ~~chicks~~ chicks, or turkey poults and sells or offers them for
20 sale.

1 (3) 'Live poultry or ratite dealer' means a person who sells or offers for sale
2 to the general public live poultry or ratites. Live poultry or ratite dealer
3 does not include persons who sell on their own premises live poultry or
4 ratites that were raised on the same premises.

5 (4) ~~The term "mixed~~ 'Mixed chicks' or 'assorted chicks' shall mean means
6 chicks produced from eggs from purebred females of a distinct breed
7 mated to a purebred male of a distinct breed.

8 (5) 'Poultry' means live chickens, doves, ducks, geese, grouse, guinea fowl,
9 partridges, pea fowl, pheasants, pigeons, quail, swans, or turkeys other
10 than chicks or poults.

11 (6) 'Ratite' has the same meaning as in G.S. 106-549.15."

12 Section 3. G.S. 106-542 is amended by adding the following new subsections:

13 "(b1) It shall be unlawful for any person, firm, or corporation to operate as a live
14 poultry or ratite dealer without first registering with the Department of Agriculture and
15 Consumer Services.

16 (b2) It shall be unlawful for a specialty market operator, as defined in G.S. 66-250,
17 to knowingly and willfully permit an unregistered poultry or ratite dealer to operate on
18 the premises of the specialty market, as defined in G.S. 66-250, more than 10 days after
19 being notified in writing by the Department of Agriculture and Consumer Services that
20 the dealer is not registered."

21 Section 4. G.S. 106-547 reads as rewritten:

22 **"§ 106-547. Records to be kept.**

23 Every hatchery, hatching egg dealer, ~~chick dealer-dealer,~~ poultry dealer, ratite dealer,
24 or jobber shall keep such records of operation as the regulations of the Department of
25 Agriculture and Consumer Services may require for the proper inspection of said
26 hatchery, ~~dealer-dealer,~~ or jobber."

27 Section 5. There is appropriated from the General Fund to the Department of
28 Agriculture and Consumer Services the sum of ten thousand dollars (\$10,000) for the
29 1998-99 fiscal year for the enforcement of registration requirements for poultry and ratite
30 dealers.

31 Section 6. Section 5 of this act becomes effective July 1, 1998. Sections 3 and
32 4 of this act become effective October 1, 1999. The remaining sections of this act are
33 effective when they become law.