

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1091  
SENATE BILL 1369

AN ACT TO AMEND THE NORTH CAROLINA BIOLOGICAL ORGANISM ACT (G.S. 106-65.42 et seq.).

The General Assembly of North Carolina enacts:

**Section 1.** Article 4(d) of Chapter 106 of the North Carolina General Statutes, known as the North Carolina Biological Organism Act, is amended by adding at the end thereof a new G.S. 106-65.49 as follows:

"§ 106-65.49. **Act not applicable in certain cases.** — The provisions of this act and/or regulations promulgated hereunder shall not apply to:

- (1) Any virus, serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, or other product propagated or manufactured and prepared at an establishment holding an unsuspended and unrevoked license issued pursuant to Section 351 of the Public Health Service Act (42 USC Section 262) and regulations promulgated thereunder;
- (2) Any finished virus, serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product or other biological product shipped prior to licensing for development or investigational purposes in compliance with the requirements of the Federal Food, Drug and Cosmetic Act (21 USC Section 301 et seq.) or the Animal Virus, Serum, and Toxin Law of March 4, 1913, (37 Stat. 832; 21 USC Section 151 et seq.) and rules and regulations promulgated thereunder; and
- (3) Any etiological agent shipped in accordance with regulations promulgated under Section 361 of The Public Health Service Act (42 USC Section 264)."

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of April,

1974.