

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 238*

Short Title: Lic. of Poultry & Ratite Dealers.

(Public)

Sponsors: Representative Wainwright.

Referred to: Agriculture.

February 22, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR LICENSING OF DEALERS IN POULTRY AND RATITES.

The General Assembly of North Carolina enacts:

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

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

Sec. 2. G.S. 106-541 reads as rewritten:

"§ 106-541. Definitions.

For the purpose of this Article, a hatchery shall be defined as any establishment that operates hatchery equipment for the production of baby chicks or poults. A hatching egg dealer, chick dealer or jobber shall mean any person, firm or corporation that buys hatching eggs, baby chicks or turkey poults and sells or offers them for sale. The term 'mixed chicks' or 'assorted chicks' shall mean chicks produced from eggs from purebred females of a distinct breed mated to a purebred male of a distinct breed. As used in this Article, 'poultry' means live chickens, doves, ducks, geese, grouse, guinea fowl, partridges, pea fowl, pheasants, pigeons, quail, swans or turkeys other than chicks or poults. As used in this Article, 'ratite' has the same meaning as in G.S. 106-549.15(21a). As used in this Article, 'live poultry or ratite dealer' means a person who sells or offers for sale to the general public live poultry or ratites. This does not include persons who

1 sell, on their own premises, live poultry or ratites which were raised on the same
2 premises."

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

4 "(b1) It shall be unlawful for any person, firm, or corporation to operate as a live
5 poultry or ratite dealer without first obtaining a license from the Department of
6 Agriculture for a fee of twenty-five dollars (\$25.00) per year.

7 (b2) It shall be unlawful for a 'specialty market operator', as defined in G.S. 105-53,
8 to knowingly and willfully permit an unlicensed poultry or ratite dealer to operate on the
9 premises of the market more than 10 days after being notified in writing by the
10 Department of Agriculture."

11 Sec. 4. G.S. 106-547 reads as rewritten:

12 **"§ 106-547. Records to be kept.**

13 Every hatchery, hatching egg dealer, chick dealer, poultry dealer, ratite dealer or
14 jobber shall keep such records of operation as the regulations of the Department of
15 Agriculture may require for the proper inspection of said hatchery, dealer or jobber."

16 Sec. 5. This act is effective upon ratification; provided, however, that no
17 license required by this act shall be required before January 1, 1996.