

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 885

Short Title: Disposal of Dead Poultry.

(Public)

Sponsors: Representatives Arnold; and H. Hunter.

Referred to: Agriculture.

April 12, 1995

A BILL TO BE ENTITLED

1 AN ACT TO PLACE THE RESPONSIBILITY UPON POULTRY INTEGRATORS TO
2 PROVIDE PRODUCERS OF POULTRY AND POULTRY PRODUCTS WITH
3 INFORMATION REGARDING TECHNOLOGY AND TECHNICAL
4 ASSISTANCE FOR AT LEAST THREE METHODS OF DISPOSING OF DEAD
5 POULTRY THAT ARE APPROVED BY THE APPLICABLE STATE AGENCIES
6 AND TO ASSIST THEM.
7

8 The General Assembly of North Carolina enacts:

9 Section 1. Article 49E of Chapter 106 of the General Statutes reads as
10 rewritten:

11 **"ARTICLE 49E.**

12 **"DISPOSAL OF DEAD ~~DISEASED~~ POULTRY AT COMMERCIAL FARMS.**

13 **"§ 106-549.70. Disposal pit or ~~incinerator~~-incinerator for diseased poultry.**

14 Every person, firm or corporation engaged in growing poultry, turkeys or other
15 domestic fowl or products thereof for commercial purposes shall provide and maintain a
16 disposal pit or incinerator of a size and design, approved by the Department of
17 Agriculture, wherein all dead diseased poultry carcasses shall be disposed of in a manner
18 to prevent the spread of disease; provided, that the provisions of this Article shall not
19 apply to growers of poultry, turkeys or other domestic fowl with flocks of 200 or less.

20 **"§ 106-549.71. Penalty for violation.**

1 Any person, firm or corporation violating the provisions of ~~this Article~~ G.S. 106-
2 549.70 shall, upon conviction, be fined or imprisoned in the discretion of the court.

3 **"§ 106-549.72. Duty of integrator regarding disposal of dead poultry.**

4 (a) An integrator shall provide the poultry producer with information regarding at
5 least three methods of disposing of dead poultry, which methods are approved by the
6 Department of Environment, Health, and Natural Resources and the Department of
7 Agriculture, as satisfying applicable State and federal laws and any rules or regulations
8 adopted pursuant to these laws. Upon request, an integrator shall provide the poultry
9 producer with the technical assistance needed to implement these methods of disposal.

10 (b) If the Department of Environment, Health, and Natural Resources or the
11 Department of Agriculture subsequently disapproves a method of disposing of dead
12 poultry provided under subsection (a) of this section, the integrator shall provide the
13 poultry producer with a substitute method of disposal that satisfies applicable State and
14 federal laws and any rules or regulations adopted pursuant to these laws and, upon
15 request, provide the technical assistance needed to implement the substitute method of
16 disposal.

17 (c) The requirements of this section shall be incorporated into the terms of the
18 contract between the integrator and the poultry producer.

19 (d) As used in this section:

20 (1) 'Integrator' means a person who contracts with a producer to grow out,
21 raise, or otherwise produce poultry or poultry products and subsequently
22 processes poultry and poultry products in the State for commercial
23 purposes.

24 (2) 'Poultry' means any domesticated bird, whether live or dead. 'Poultry'
25 includes, but is not limited to, laying hens, broiler breeding hens, broiler
26 breeder pullets, commercial egg hens, commercial egg pullets, broilers,
27 roasters, turkey hens, and turkey toms.

28 (3) 'Producer' means a person who produces or causes to be produced
29 poultry or poultry products by contracting with an integrator to provide
30 management, labor, machinery, facilities, or any other production input
31 for the production of poultry or poultry products."

32 Sec. 2. This act becomes effective upon ratification and applies to contracts
33 between an integrator and a poultry producer entered into on or after that date.