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SENATE BILL 483

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/18/95
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Short Title: Inspection of Bison Meat/AB.

(Public)

Sponsors:

Referred to:

March 27, 1995

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE INSPECTION OF BISON MEAT THAT IS TO BE
USED AS FOOD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-549.15(13) reads as rewritten:

"(13) 'Meat broker' means any person, firm, corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, bison, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation."

Sec. 2. G.S. 106-549.15(14) reads as rewritten:

"(14) 'Meat food product' means any product capable of use as human food ~~which~~ that is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, goats, bison, or fallow deer, excepting products ~~which~~ that contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry,

1 and ~~which~~ that are exempted from definition as a meat food product by
2 the Board under such conditions as it may prescribe to assure that the
3 meat or other portions of such carcasses contained in such product are
4 not adulterated and that such products are not represented as meat food
5 products. This term as applied to food products of equines shall have a
6 meaning comparable to that provided in this subdivision with respect to
7 cattle, sheep, swine, ~~and goats.~~ goats, and bison."

8 Sec. 3. G.S. 106-549.17 reads as rewritten:

9 **"§ 106-549.17. Inspection of animals before slaughter; humane methods of**
10 **slaughtering.**

11 (a) For the purpose of preventing the use in intrastate commerce, as hereinafter
12 provided, of meat and meat food products which are adulterated, the Commissioner shall
13 cause to be made, by inspectors appointed for that purpose, an examination and
14 inspection of all cattle, sheep, swine, goats, fallow deer, bison, horses, mules, and other
15 equines before they shall be allowed to enter into any slaughtering, packing, meat-
16 canning, rendering, or similar establishment in this State in which slaughtering and
17 preparation of meat and meat food products of such animals are conducted for intrastate
18 commerce; and all cattle, sheep, swine, goats, fallow deer, bison, horses, mules, and other
19 equines found on such inspection to show symptoms of disease shall be set apart and
20 slaughtered separately from all other cattle, sheep, swine, goats, fallow deer, bison,
21 horses, mules, or other equines, and when so slaughtered, the carcasses of said cattle,
22 sheep, swine, goats, fallow deer, bison, horses, mules, or other equines shall be subject to
23 a careful examination and inspection, all as provided by the rules and regulations to be
24 prescribed by the Board as herein provided for.

25 (b) For the purpose of preventing the inhumane slaughtering of livestock, the
26 Commissioner shall cause to be made, by inspectors appointed for that purpose, an
27 examination and inspection of the method by which cattle, sheep, swine, goats, fallow
28 deer, bison, horses, mules, and other equines are slaughtered and handled in connection
29 with slaughter in the slaughtering establishments inspected under this law. The
30 Commissioner may refuse to provide inspection to a new slaughtering establishment or
31 may cause inspection to be temporarily suspended at a slaughtering establishment if the
32 Commissioner finds that any cattle, sheep, swine, goats, fallow deer, bison, horses,
33 mules, or other equines have been slaughtered or handled in connection with slaughter at
34 such establishment by any method not in accordance with subsection (c) of this section
35 until the establishment furnishes assurances satisfactory to the Commissioner that all
36 slaughtering and handling in connection with slaughter of livestock shall be in
37 accordance with such a method.

38 (c) Either of the following two methods of slaughtering of livestock and handling
39 of livestock in connection with slaughter are found to be humane:

- 40 (1) In the case of cattle, calves, fallow deer, bison, horses, mules, sheep,
41 swine, and other livestock, all animals are rendered insensible to pain by
42 a single blow or gunshot or an electrical, chemical, or other means that

1 is rapid and effective, before being shackled, hoisted, thrown, cast, or
2 cut; or

- 3 (2) By slaughtering in accordance with the ritual requirements of the Jewish
4 faith or any other religious faith that prescribes a method of slaughter
5 whereby the animal suffers loss of consciousness by anemia of the brain
6 caused by the simultaneous and instantaneous severance of the carotid
7 arteries with a sharp instrument and handling in connection with such
8 slaughtering."

9 Sec. 4. G.S. 106-549.18 reads as rewritten:

10 **"§ 106-549.18. Inspection; stamping carcass.**

11 For the purposes hereinbefore set forth the Commissioner shall cause to be made by
12 inspectors appointed for that purpose, as hereinafter provided, a post mortem examination
13 and inspection of the carcasses and parts thereof of all cattle, sheep, swine, goats, fallow
14 deer, bison, horses, mules, and other equines, capable of use as human food, to be
15 prepared at any slaughtering, meat-canning, salting, packing, rendering, or similar
16 establishment in this State in which such articles are prepared for intrastate commerce;
17 and the carcasses and parts thereof of all such animals found to be not adulterated shall be
18 marked, stamped, tagged, or labeled, as 'Inspected and Passed'; and said inspectors shall
19 label, mark, stamp, or tag as 'Inspected and Condemned,' all carcasses and parts thereof
20 of animals found to be adulterated; and all carcasses and parts thereof thus inspected and
21 condemned shall be destroyed for food purposes by the said establishment in the presence
22 of an inspector, and the Commissioner or his authorized representative may remove
23 inspectors from any such establishment which fails to so destroy any such condemned
24 carcass or part thereof, and said inspectors, after said first inspection shall, when they
25 deem it necessary, reinspect said carcasses or parts thereof to determine whether since the
26 first inspection the same have become adulterated and if any carcass or any part thereof
27 shall, upon examination and inspection subsequent to the first examination and
28 inspection, be found to be adulterated, it shall be destroyed for food purposes by the said
29 establishment in the presence of an inspector, and the Commissioner or his authorized
30 representative may remove inspectors from any establishment which fails to [do] so
31 destroy any such condemned carcass or part thereof."

32 Sec. 5. G.S. 106-549.19 reads as rewritten:

33 **"§ 106-549.19. Application of Article; place of inspection.**

34 The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle,
35 sheep, swine, goats, fallow deer, bison, horses, mules, and other equines or the meat or
36 meat products thereof, capable of use as human food, which may be brought into any
37 slaughtering, meat-canning, salting, packing, rendering, or similar establishment, where
38 inspection under this Article is maintained, and such examination and inspection shall be
39 had before the said carcasses or parts thereof shall be allowed to enter into any
40 department wherein the same are to be treated and prepared for meat food products; and
41 the foregoing provisions shall also apply to all such products which, after having been
42 issued from any such slaughtering, meat-canning, salting, packing, rendering, or similar
43 establishment, shall be returned to the same or to any similar establishment where such

1 inspection is maintained. The Commissioner or his authorized representative may limit
2 the entry of carcasses, part of carcasses, meat and meat food products, and other materials
3 into any establishment at which inspection under this Article is maintained, under such
4 conditions as he may prescribe to assure that allowing the entry of such articles into such
5 inspected establishments will be consistent with the purposes of this and the subsequent
6 Article."

7 Sec. 6. G.S. 106-549.22 reads as rewritten:

8 **"§ 106-549.22. Rules and regulations of Board.**

9 The Commissioner or his authorized representative shall cause to be made, by experts
10 in sanitation, or by other competent inspectors, such inspection of all slaughtering, meat-
11 canning, salting, packing, rendering, or similar establishments in which cattle, sheep,
12 swine, goats, fallow deer, bison, horses, mules, and other equines are slaughtered and the
13 meat and meat food products thereof are prepared for intrastate commerce as may be
14 necessary to inform himself concerning the sanitary conditions of the same, and the
15 Board shall prescribe the rules and regulations of sanitation under which such
16 establishments shall be maintained; and where the sanitary conditions of any such
17 establishment are such that the meat or meat food products are rendered adulterated, the
18 Commissioner or his authorized representative shall refuse to allow said meat or meat
19 food products to be labeled, marked, stamped, or tagged as 'North Carolina Department
20 of Agriculture Inspected and Passed.'"

21 Sec. 7. G.S. 106-549.23 reads as rewritten:

22 **"§ 106-549.23. Prohibited slaughter, sale and transportation.**

23 No person, firm, or corporation shall, with respect to any cattle, sheep, swine, goats,
24 fallow deer, bison, horses, mules, or other equines, or any carcasses, parts of carcasses,
25 meat or meat food products of any such animals:

- 26 (1) Slaughter any of these animals or prepare any of these articles which are
27 capable of use as human food, at any establishment preparing any such
28 articles for intrastate commerce except in compliance with the
29 requirements of this and the subsequent Article;
- 30 (2) Slaughter, or handle in connection with slaughter, any such animals in
31 any manner not in accordance with G.S. 106-549.17(c) of this Article;
- 32 (3) Sell, transport, offer for sale or transportation, or receive for
33 transportation, in intrastate commerce:
- 34 a. Any of these articles which (i) are capable of use as human food
35 and (ii) are adulterated or misbranded at the time of sale,
36 transportation, offer for sale or transportation, or receipt for
37 transportation; or
- 38 b. Any articles required to be inspected under this Article unless
39 they have been so inspected and passed; or
- 40 (4) Do, with respect to any of these articles which are capable of use as
41 human food, any act while they are being transported in intrastate
42 commerce or held for sale after such transportation, which is intended to

1 cause or has the effect of causing the articles to be adulterated or
2 misbranded."

3 Sec. 8. G.S. 106-549.25 reads as rewritten:

4 **"§ 106-549.25. Slaughter, sale and transportation of equine carcasses.**

5 No person, firm, or corporation shall sell, transport, offer for sale or transportation, or
6 receive for transportation, in intrastate commerce, any carcasses of horses, mules, or
7 other equines or parts of such carcasses, or the meat or meat food products thereof, unless
8 they are plainly and conspicuously marked or labeled or otherwise identified as required
9 by regulations prescribed by the Board to show the kinds of animals from which they
10 were derived. When required by the Commissioner or his authorized representative, with
11 respect to establishments at which inspection is maintained under this Article, such
12 animals and their carcasses, parts thereof, meat and meat food products shall be prepared
13 in establishments separate from those in which cattle, sheep, swine, fallow deer, bison, or
14 goats are slaughtered or their carcasses, parts thereof, meats or meat food products are
15 prepared."

16 Sec. 9. G.S. 106-549.26 reads as rewritten:

17 **"§ 106-549.26. Inspection of establishment; bribery of or malfeasance of inspector.**

18 The Commissioner or his authorized representative shall appoint from time to time
19 inspectors to make examination and inspection of all cattle, sheep, swine, goats, fallow
20 deer, bison, horses, mules, and other equines the inspection of which is hereby provided
21 for, and of all carcasses and parts thereof, and of all meats and meat food products
22 thereof, and of the sanitary conditions of all establishments in which such meat and meat
23 food products hereinbefore described are prepared; and said inspectors shall refuse to
24 stamp, mark, tag or label any carcass or any part thereof, or meat food product therefrom,
25 prepared in any establishment hereinbefore mentioned, until the same shall have actually
26 been inspected and found to be not adulterated; and shall perform such other duties as are
27 provided by this and the subsequent Article and by the rules and regulations to be
28 prescribed by said Board and said Board shall, from time to time, make such rules and
29 regulations as are necessary for the efficient execution of the provisions of this and the
30 subsequent Article, and all inspections and examinations made under this Article shall be
31 such and made in such manner as described in the rules and regulations prescribed by
32 said Board not inconsistent with the provisions of this Article and as directed by the
33 Commissioner or his authorized representative. Any person, firm, or corporation, or any
34 agent or employee of any person, firm, or corporation, who shall give, pay, or offer,
35 directly or indirectly, to any inspector, or any other officer or employee of this State
36 authorized to perform any of the duties prescribed by this and the subsequent Article or
37 by the rules and regulations of the Board or by the Commissioner or his authorized
38 representative any money or other thing of value, with intent to influence said inspector,
39 or other officer or employee of this State in the discharge of any duty herein provided for,
40 shall be deemed guilty of a Class I felony which may include a fine not less than five
41 hundred dollars (\$500.00) nor more than ten thousand dollars (\$10,000); and any
42 inspector, or other officer or employee of this State authorized to perform any of the
43 duties prescribed by this Article who shall accept any money, gift, or other thing of value

1 from any person, firm, or corporation, or officers, agents, or employees thereof, given
2 with intent to influence his official action, or who shall receive or accept from any
3 person, firm, or corporation engaged in intrastate commerce any gift, money, or other
4 thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a
5 Class I felony and shall, upon conviction thereof, be summarily discharged from office
6 and may be punished by a fine not less than five hundred dollars (\$500.00) nor more than
7 ten thousand dollars (\$10,000)."

8 Sec. 10. G.S. 106-549.27(a) reads as rewritten:

9 "(a) The provisions of this Article requiring inspection of the slaughter of animals
10 and the preparation of the carcasses, parts thereof, meat and meat food products at
11 establishments conducting such operations shall not

12 (1) Apply to the slaughtering by any person of animals of his own raising,
13 and the preparation by him and transportation in intrastate commerce of
14 the carcasses, parts thereof, meat and meat food products of such
15 animals exclusively for use by him and members of his household and
16 his nonpaying guests and employees; nor

17 (2) To the custom slaughter by any person, firm, or corporation of cattle,
18 sheep, swine, fallow deer, bison, or goats delivered by the owner thereof
19 for such slaughter, and the preparation by such slaughterer and
20 transportation in intrastate commerce of the carcasses, parts thereof,
21 meat and meat food products of such animals, exclusively for use, in the
22 household of such owner, by him, and members of his household and
23 his nonpaying guests and employees: Provided, that all carcasses, parts
24 thereof, meat and meat food products derived from custom slaughter
25 shall be identified as required by the Commissioner, during all phases of
26 slaughtering, chilling, cooling, freezing, packing, meat canning,
27 rendering, preparation, storage and transportation; provided further, that
28 the custom slaughterer does not engage in the business of buying or
29 selling any carcasses, parts thereof, meat or meat food products of any
30 cattle, sheep, swine, goats, fallow deer, bison, or equines, capable of use
31 as human food, unless the carcasses, parts thereof, meat or meat food
32 products have been inspected and passed and are identified as having
33 been inspected and passed by the Commissioner or the United States
34 Department of Agriculture."

35 Sec. 11. G.S. 106-549.28 reads as rewritten:

36 "**§ 106-549.28. Regulation of storage of meat.**

37 The Board may by regulations prescribe conditions under which carcasses, parts of
38 carcasses, meat, and meat food products of cattle, sheep, swine, goats, fallow deer, bison,
39 horses, mules, or other equines, capable of use as human food, shall be stored or
40 otherwise handled by any person, firm, or corporation engaged in the business of buying,
41 selling, freezing, storing, or transporting, in or for intrastate commerce, such articles,
42 whenever the Board deems such action necessary to assure that such articles will not be

1 adulterated or misbranded when delivered to the consumer. Willful violation of any such
2 regulation is a Class 2 misdemeanor."

3 Sec. 12. G.S. 106-549.39(b) reads as rewritten:

4 "(b) ~~Ratite-Inspection Fees.~~ – The Commissioner may establish a fee at an hourly
5 rate to be paid by an establishment preparing ~~ostriches or other ratites~~ an animal listed in
6 this subsection as a meat food product. The fee shall be credited to the Department as a
7 departmental receipt and applied to the cost of inspecting ~~ostriches and other ratites.~~ these
8 animals to be used for food. The animals whose inspection is subject to the fee imposed
9 under this subsection are:

10 (1) Bison.

11 (2) Ostriches and other ratites."

12 Sec. 13. This act is effective upon ratification.