

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 898

Short Title: Production and Sale of Domesticated Rabbit. (Public)

Sponsors: Senator Webster.

Referred to: Agriculture/Environment/Natural Resources.

April 3, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE PRODUCTION AND SALE OF DOMESTICATED  
3 RABBIT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 106 of the General Statutes is amended by adding a  
6 new Article to read:

7 "Article 49I.

8 "Production and Sale of Domesticated Rabbit.

9 **"§ 106-549.110. Regulation of domesticated rabbit by Department of Agriculture  
10 and Consumer Services; certain authority of North Carolina Wildlife  
11 Resources Commission not affected; definition.**

12 (a) The Department of Agriculture and Consumer Services shall regulate the  
13 production and sale of domesticated rabbit for food purposes. The Board of Agriculture  
14 shall adopt rules for the production and sale of domesticated rabbit for food purposes in  
15 such a manner as to provide for close supervision of any person, firm, or corporation  
16 producing and selling domesticated rabbit for food purposes.

17 (b) The North Carolina Wildlife Resources Commission shall regulate the  
18 possession and transportation of live domesticated rabbit and may adopt rules to prevent  
19 the release or escape of domesticated rabbit upon finding that it is necessary to protect  
20 live domesticated rabbit or to prevent damage to the native rabbit population or its  
21 habitat.

22 (c) As used in this Article, 'domesticated rabbit' means a rabbit raised  
23 domestically in this State for the purpose of resale as a meat product for human  
24 consumption.

25 **"§ 106-549.111. Inspection fees.**

26 The Commissioner may establish a fee at an hourly rate to be paid by the owner,  
27 proprietor, or operator of each slaughtering, meat-canning, salting, packing, rendering,  
28 or similar establishment for the purpose of defraying the expenses incurred in the

1 inspection of domesticated rabbit as required by Article 49B of Chapter 106 of the  
2 General Statutes."

3 **SECTION 2.** G.S. 113-129(7c) reads as rewritten:

4 "(7c) Game Animals. – Bear, fox, rabbit, squirrel, wild boar, and ~~deer, not~~  
5 ~~to deer.~~ Game animals do not include fallow deer or red deer raised for  
6 production and sale under G.S. 106-549.97; domesticated rabbits  
7 raised for production and sale under G.S. 106-549.110; bobcat,  
8 opossum, and raccoon except when trapped in accordance with  
9 provisions relating to fur-bearing animals."

10 **SECTION 3.** G.S. 106-549.15(14) reads as rewritten:

11 "(14) 'Meat food product' means any product capable of use as human food  
12 that is made wholly or in part from any meat or other portion of the  
13 carcass of any cattle, sheep, swine, goats, bison, fallow deer, ~~or~~ red  
14 deer, or domesticated rabbit, excepting products that contain meat or  
15 other portions of such carcasses only in a relatively small proportion or  
16 historically have not been considered by consumers as products of the  
17 meat food industry, and that are exempted from definition as a meat  
18 food product by the Board under such conditions as it may prescribe to  
19 assure that the meat or other portions of such carcasses contained in  
20 such product are not adulterated and that such products are not  
21 represented as meat food products. This term as applied to food  
22 products of equines shall have a meaning comparable to that provided  
23 in this subdivision with respect to cattle, sheep, swine, goats, and  
24 bison."

25 **SECTION 4.** G.S. 106-549.15(22) reads as rewritten:

26 "(22) 'Renderer' means any person, firm, or corporation engaged in the  
27 business of rendering carcasses, or parts or products of the carcasses,  
28 of domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red  
29 deer, horses, mules, or other equines, except rendering conducted  
30 under inspection under this Article."

31 **SECTION 5.** G.S. 106-549.17 reads as rewritten:

32 "**§ 106-549.17. Inspection of animals before slaughter; humane methods of**  
33 **slaughtering.**

34 (a) For the purpose of preventing the use in intrastate commerce, as hereinafter  
35 provided, of meat and meat food products which are adulterated, the Commissioner  
36 shall cause to be made, by inspectors appointed for that purpose, an examination and  
37 inspection of all domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer,  
38 bison, horses, mules, and other equines before they shall be allowed to enter into any  
39 slaughtering, packing, meat-canning, rendering, or similar establishment in this State in  
40 which slaughtering and preparation of meat and meat food products of such animals are  
41 conducted for intrastate commerce; and all domesticated rabbits, cattle, sheep, swine,  
42 goats, fallow deer, red deer, bison, horses, mules, and other equines found on such  
43 inspection to show symptoms of disease shall be set apart and slaughtered separately  
44 from all other domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer,

1 bison, horses, mules, or other equines, and when so slaughtered, the carcasses of ~~said~~  
2 the domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer, bison,  
3 horses, mules, or other equines shall be subject to a careful examination and inspection,  
4 all as provided by the rules and regulations to be prescribed by the Board as herein  
5 provided for.

6 (b) For the purpose of preventing the inhumane slaughtering of livestock, the  
7 Commissioner shall cause to be made, by inspectors appointed for that purpose, an  
8 examination and inspection of the method by which domesticated rabbits, cattle, sheep,  
9 swine, goats, fallow deer, red deer, bison, horses, mules, and other equines are  
10 slaughtered and handled in connection with slaughter in the slaughtering establishments  
11 inspected under this law. The Commissioner may refuse to provide inspection to a new  
12 slaughtering establishment or may cause inspection to be temporarily suspended at a  
13 slaughtering establishment if the Commissioner finds that any domesticated rabbits,  
14 cattle, sheep, swine, goats, fallow deer, red deer, bison, horses, mules, or other equines  
15 have been slaughtered or handled in connection with slaughter at such establishment by  
16 any method not in accordance with subsection (c) of this section until the establishment  
17 furnishes assurances satisfactory to the Commissioner that all slaughtering and handling  
18 in connection with slaughter of livestock shall be in accordance with such a method.

19 (c) Either of the following two methods of slaughtering of livestock and handling  
20 of livestock in connection with slaughter ~~are~~ is found to be humane:

- 21 (1) In the case of domesticated rabbits, cattle, calves, fallow deer, red  
22 deer, bison, horses, mules, sheep, swine, and other livestock, all  
23 animals are rendered insensible to pain by a single blow or gunshot or  
24 an electrical, chemical, or other means that is rapid and effective,  
25 before being shackled, hoisted, thrown, cast, or cut; or  
26 (2) By slaughtering in accordance with the ritual requirements of the  
27 Jewish faith or any other religious faith that prescribes a method of  
28 slaughter whereby the animal suffers loss of consciousness by anemia  
29 of the brain caused by the simultaneous and instantaneous severance of  
30 the carotid arteries with a sharp instrument and handling in connection  
31 with such slaughtering."

32 **SECTION 6.** G.S. 106-549.18 reads as rewritten:

33 **"§ 106-549.18. Inspection; stamping carcass.**

34 For the purposes hereinbefore set forth the Commissioner shall cause to be made by  
35 inspectors appointed for that purpose, as hereinafter provided, a post mortem  
36 examination and inspection of the carcasses and parts thereof of all domesticated  
37 rabbits, cattle, sheep, swine, goats, fallow deer, red deer, bison, horses, mules, and other  
38 equines, capable of use as human food, to be prepared at any slaughtering,  
39 meat-canning, salting, packing, rendering, or similar establishment in this State in which  
40 such articles are prepared for intrastate commerce; and the carcasses and parts thereof of  
41 all such animals found to be not adulterated shall be marked, stamped, tagged, or  
42 labeled, as 'Inspected and Passed'; and said inspectors shall label, mark, stamp, or tag as  
43 'Inspected and Condemned,' all carcasses and parts thereof of animals found to be  
44 adulterated; and all carcasses and parts thereof thus inspected and condemned shall be

1 destroyed for food purposes by the said establishment in the presence of an inspector,  
2 and the Commissioner or his authorized representative may remove inspectors from any  
3 such establishment which fails to so destroy any such condemned carcass or part  
4 thereof, and said inspectors, after said first inspection shall, when they deem it  
5 necessary, reinspect said carcasses or parts thereof to determine whether since the first  
6 inspection the same have become adulterated and if any carcass or any part thereof  
7 shall, upon examination and inspection subsequent to the first examination and  
8 inspection, be found to be adulterated, it shall be destroyed for food purposes by the  
9 said establishment in the presence of an inspector, and the Commissioner or his  
10 authorized representative may remove inspectors from any establishment which fails to  
11 so destroy any such condemned carcass or part thereof."

12 **SECTION 7.** G.S. 106-549.19 reads as rewritten:

13 **"§ 106-549.19. Application of Article; place of inspection.**

14 The foregoing provisions shall apply to all carcasses or parts of carcasses of  
15 domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer, bison, horses,  
16 mules, and other equines or the meat or meat products thereof, capable of use as human  
17 food, which may be brought into any slaughtering, meat-canning, salting, packing,  
18 rendering, or similar establishment, where inspection under this Article is maintained,  
19 and such examination and inspection shall be had before the said carcasses or parts  
20 thereof shall be allowed to enter into any department wherein the same are to be treated  
21 and prepared for meat food products; and the foregoing provisions shall also apply to all  
22 such products which, after having been issued from any such slaughtering,  
23 meat-canning, salting, packing, rendering, or similar establishment, shall be returned to  
24 the same or to any similar establishment where such inspection is maintained. The  
25 Commissioner or his authorized representative may limit the entry of carcasses, part of  
26 carcasses, meat and meat food products, and other materials into any establishment at  
27 which inspection under this Article is maintained, under such conditions as he may  
28 prescribe to assure that allowing the entry of such articles into such inspected  
29 establishments will be consistent with the purposes of this and the subsequent Article."

30 **SECTION 8.** G.S. 106-549.22 reads as rewritten:

31 **"§ 106-549.22. Rules and regulations of Board.**

32 The Commissioner or his authorized representative shall cause to be made, by  
33 experts in sanitation, or by other competent inspectors, such inspection of all  
34 slaughtering, meat-canning, salting, packing, rendering, or similar establishments in  
35 which domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer, bison,  
36 horses, mules, and other equines are slaughtered and the meat and meat food products  
37 thereof are prepared for intrastate commerce as may be necessary to inform himself  
38 concerning the sanitary conditions of the same, and the Board shall prescribe the rules  
39 and regulations of sanitation under which such establishments shall be maintained; and  
40 where the sanitary conditions of any such establishment are such that the meat or meat  
41 food products are rendered adulterated, the Commissioner or his authorized  
42 representative shall refuse to allow said meat or meat food products to be labeled,  
43 marked, stamped, or tagged as 'North Carolina Department of Agriculture and  
44 Consumer Services Inspected and Passed.'"

1           **SECTION 9.** G.S. 106-549.23 reads as rewritten:

2   "**§ 106-549.23. Prohibited slaughter, sale and transportation.**

3       No person, firm, or corporation shall, with respect to any domesticated rabbits,  
4   cattle, sheep, swine, goats, fallow deer, red deer, bison, horses, mules, or other equines,  
5   or any carcasses, parts of carcasses, meat or meat food products of any such animals:

6           (1) Slaughter any of these animals or prepare any of these articles which  
7           are capable of use as human food, at any establishment preparing any  
8           such articles for intrastate commerce except in compliance with the  
9           requirements of this and the subsequent Article;

10          (2) Slaughter, or handle in connection with slaughter, any such animals in  
11          any manner not in accordance with G.S. 106-549.17(c) of this Article;

12          (3) Sell, transport, offer for sale or transportation, or receive for  
13          transportation, in intrastate commerce:

14           a. Any of these articles which (i) are capable of use as human food  
15           and (ii) are adulterated or misbranded at the time of sale,  
16           transportation, offer for sale or transportation, or receipt for  
17           transportation; or

18           b. Any articles required to be inspected under this Article unless  
19           they have been so inspected and passed; or

20          (4) Do, with respect to any of these articles which are capable of use as  
21          human food, any act while they are being transported in intrastate  
22          commerce or held for sale after such transportation, which is intended  
23          to cause or has the effect of causing the articles to be adulterated or  
24          misbranded."

25           **SECTION 10.** G.S. 106-549.25 reads as rewritten:

26   "**§ 106-549.25. Slaughter, sale and transportation of equine carcasses.**

27       No person, firm, or corporation shall sell, transport, offer for sale or transportation,  
28   or receive for transportation, in intrastate commerce, any carcasses of horses, mules, or  
29   other equines or parts of such carcasses, or the meat or meat food products thereof,  
30   unless they are plainly and conspicuously marked or labeled or otherwise identified as  
31   required by regulations prescribed by the Board to show the kinds of animals from  
32   which they were derived. When required by the Commissioner or his authorized  
33   representative, with respect to establishments at which inspection is maintained under  
34   this Article, such animals and their carcasses, parts thereof, meat and meat food  
35   products shall be prepared in establishments separate from those in which domesticated  
36   rabbits, cattle, sheep, swine, fallow deer, red deer, bison, or goats are slaughtered or  
37   their carcasses, parts thereof, meats or meat food products are prepared."

38           **SECTION 11.** G.S. 106-549.26 reads as rewritten:

39   "**§ 106-549.26. Inspection of establishment; bribery of or malfeasance of inspector.**

40       The Commissioner or his authorized representative shall appoint from time to time  
41   inspectors to make examination and inspection of all domesticated rabbits, cattle, sheep,  
42   swine, goats, fallow deer, red deer, bison, horses, mules, and other equines the  
43   inspection of which is hereby provided for, and of all carcasses and parts thereof, and of  
44   all meats and meat food products thereof, and of the sanitary conditions of all

1 establishments in which such meat and meat food products hereinbefore described are  
2 prepared; and said inspectors shall refuse to stamp, mark, tag or label any carcass or any  
3 part thereof, or meat food product therefrom, prepared in any establishment  
4 hereinbefore mentioned, until the same shall have actually been inspected and found to  
5 be not adulterated; and shall perform such other duties as are provided by this and the  
6 subsequent Article and by the rules and regulations to be prescribed by said Board and  
7 said Board shall, from time to time, make such rules and regulations as are necessary for  
8 the efficient execution of the provisions of this and the subsequent Article, and all  
9 inspections and examinations made under this Article shall be such and made in such  
10 manner as described in the rules and regulations prescribed by said Board not  
11 inconsistent with the provisions of this Article and as directed by the Commissioner or  
12 his authorized representative. Any person, firm, or corporation, or any agent or  
13 employee of any person, firm, or corporation, who shall give, pay, or offer, directly or  
14 indirectly, to any inspector, or any other officer or employee of this State authorized to  
15 perform any of the duties prescribed by this and the subsequent Article or by the rules  
16 and regulations of the Board or by the Commissioner or ~~his~~the Commissioner's  
17 authorized representative any money or other thing of value, with intent to influence  
18 said inspector, or other officer or employee of this State in the discharge of any duty  
19 herein provided for, shall be deemed guilty of a Class I felony which may include a fine  
20 not less than five hundred dollars (\$500.00) nor more than ten thousand dollars  
21 (\$10,000); and any inspector, or other officer or employee of this State authorized to  
22 perform any of the duties prescribed by this Article who shall accept any money, gift, or  
23 other thing of value from any person, firm, or corporation, or officers, agents, or  
24 employees thereof, given with intent to influence his official action, or who shall  
25 receive or accept from any person, firm, or corporation engaged in intrastate commerce  
26 any gift, money, or other thing of value given with any purpose or intent whatsoever,  
27 shall be deemed guilty of a Class I felony and shall, upon conviction thereof, be  
28 summarily discharged from office and may be punished by a fine not less than five  
29 hundred dollars (\$500.00) nor more than ten thousand dollars (\$10,000)."

30 **SECTION 12.** G.S 106-549.27(a) reads as rewritten:

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

- 34 (1) Apply to the slaughtering by any person of animals of his own raising,  
35 and the preparation by him and transportation in intrastate commerce  
36 of the carcasses, parts thereof, meat and meat food products of such  
37 animals exclusively for use by him and members of his household and  
38 his nonpaying guests and employees; nor
- 39 (2) To the custom slaughter by any person, firm, or corporation of  
40 domesticated rabbits, cattle, sheep, swine, fallow deer, red deer, bison,  
41 or goats delivered by the owner thereof for such slaughter, and the  
42 preparation by such slaughterer and transportation in intrastate  
43 commerce of the carcasses, parts thereof, meat and meat food products  
44 of such animals, exclusively for use, in the household of such owner,

1 by him, and members of his household and his nonpaying guests and  
2 employees: Provided, that all carcasses, parts thereof, meat and meat  
3 food products derived from custom slaughter shall be identified as  
4 required by the Commissioner, during all phases of slaughtering,  
5 chilling, cooling, freezing, packing, meat canning, rendering,  
6 preparation, storage and transportation; provided further, that the  
7 custom slaughterer does not engage in the business of buying or selling  
8 any carcasses, parts thereof, meat or meat food products of any  
9 domesticated rabbits, cattle, sheep, swine, goats, fallow deer, red deer,  
10 bison, or equines, capable of use as human food, unless the carcasses,  
11 parts thereof, meat or meat food products have been inspected and  
12 passed and are identified as having been inspected and passed by the  
13 Commissioner or the United States Department of Agriculture."

14 **SECTION 13.** G.S. 106-549.28 reads as rewritten:

15 **"§ 106-549.28. Regulation of storage of meat.**

16 The Board may by regulations prescribe conditions under which carcasses, parts of  
17 carcasses, meat, and meat food products of domesticated rabbits, cattle, sheep, swine,  
18 goats, fallow deer, red deer, bison, horses, mules, or other equines, capable of use as  
19 human food, shall be stored or otherwise handled by any person, firm, or corporation  
20 engaged in the business of buying, selling, freezing, storing, or transporting, in or for  
21 intrastate commerce, such articles, whenever the Board deems such action necessary to  
22 assure that such articles will not be adulterated or misbranded when delivered to the  
23 consumer. Willful violation of any such regulation is a Class 2 misdemeanor."

24 **SECTION 14.** G.S. 113-291.3(b)(4) reads as rewritten:

25 "(4) The sale of ~~rabbits and squirrels~~ and their edible parts not for resale is  
26 permitted. The sale of rabbits and their edible parts not for resale is  
27 permitted; however, the sale of domesticated rabbits raised for  
28 production and sale under G.S. 106-549.110 and their edible parts for  
29 resale is permitted. If the Wildlife Resources Commission finds that  
30 affected game populations would not be endangered, it may authorize  
31 the sale of heads, antlers, horns, hides, skins, plumes, feet, and claws  
32 of one or more game animals or birds. In addition, it may authorize the  
33 sale of bobcats, opossums, and raccoons, and their parts, following  
34 their taking as game animals. No part of any bear or wild turkey may  
35 be sold under the above provisions, however, and no part of any fox  
36 taken in North Carolina may be sold except as provided in G.S.  
37 113-291.4. In regulating sales, the Wildlife Resources Commission  
38 may impose necessary permit requirements."

39 **SECTION 15.** G.S. 113-291.8 reads as rewritten:

40 **"§ 113-291.8. Requirement to display hunter orange.**

41 (a) Any person hunting game animals other than foxes, bobcats, raccoons, and  
42 opossum, or hunting upland game birds other than wild turkeys, with the use of  
43 firearms, must wear a cap or hat on his head made of hunter orange material or an outer

1 garment of hunter orange visible from all sides. Hunter orange material is a material that  
2 is a daylight fluorescent orange color.

3 This section does not apply to a landholder, his spouse, or children, who are hunting  
4 on land held by the landholder. This subsection shall be enforced by warning ticket only  
5 until October 1, 1992, with respect to those hunting ~~rabbit~~rabbit other than  
6 domesticated rabbit as defined in G.S. 106-549.110, squirrel, grouse, pheasant, and  
7 quail."

8 **SECTION 16.** This act is effective when it becomes law.