

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 2524  
Committee Substitute Favorable 6/25/08

Short Title: Disapprove Dyed Milk Rule.

(Public)

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Sponsors:

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Referred to:

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May 26, 2008

A BILL TO BE ENTITLED

1  
2 AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA  
3 BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW  
4 COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS  
5 ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE  
6 BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM  
7 THE PROVISIONS OF THE COMMERCIAL FEED ACT.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Pursuant to G.S. 150B-21.3(b1), 02 NCAC 09E .0116  
10 (Unpasteurized Milk), as adopted by the North Carolina Board of Agriculture on  
11 September 7, 2007, and approved by the Rules Review Commission on October 18,  
12 2007, is disapproved.

13 **SECTION 2.** G.S. 130A-279 reads as rewritten:

14 **"§ 130A-279. Sale or dispensing of milk.**

15 Only milk that is Grade "A" pasteurized milk may be sold or dispensed directly to  
16 consumers for human consumption. Raw milk and raw milk products shall be sold or  
17 dispensed only to a permitted milk hauler or to a processing facility at which the  
18 processing of milk is permitted, graded, or regulated by a local, State, or federal agency.  
19 The Commission may adopt rules to provide exceptions for dispensing raw milk and  
20 raw milk products for nonhuman consumption. Any raw milk or raw milk product  
21 dispensed as animal feed shall include on its label the statement "NOT FOR HUMAN  
22 CONSUMPTION" in letters at least one-half inch in height. Any raw milk or raw milk  
23 product dispensed as animal feed shall also include on its label the statement "IT IS  
24 NOT LEGAL TO SELL RAW MILK FOR HUMAN CONSUMPTION IN NORTH  
25 CAROLINA." "Sale" or "sold" shall mean any transaction that involves the transfer or  
26 dispensing of milk and milk products or the right to acquire milk and milk products  
27 through barter or contractual arrangement or in exchange for any other form of  
28 compensation including, but not limited to, the sale of shares or interest in a cow, goat,  
29 or other lactating animal or herd."

1           **SECTION 3.** G.S. 106-284.33(4) reads as rewritten:

2           "(4) The term "commercial feed" means all materials, except whole  
3           unmixed seed such as corn, including physically altered entire  
4           unmixed seeds when not adulterated within the meaning of  
5           G.S. 106-284.38(1), which are distributed for use as feed or for mixing  
6           in feed; provided, that the Board by regulation may exempt from this  
7           definition, or from specific provisions of this Article, hay, straw,  
8           stover, silage, cobs, husks, ~~hulls~~ hulls, unpasteurized milk, and  
9           individual chemical compounds or substances which are not  
10          intermixed or mixed with other materials, and are not adulterated  
11          within the meaning of G.S. 106-284.38(1)."

12          **SECTION 4.** This act is effective when it becomes law.