

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 65

Short Title: North Carolina Farmers Freedom Protection Act. (Public)

Sponsors: Representative Bradley (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Agriculture.

February 10, 2011

A BILL TO BE ENTITLED

AN ACT PROTECTING THE FREEDOM OF NORTH CAROLINA FARMERS.

The General Assembly of North Carolina enacts:

SECTION 1. Title. – This act may be cited as the "North Carolina Farmers Freedom Protection Act."

SECTION 2. Findings. – Regulation of intrastate commerce does not fall within the powers of Congress. Under the Tenth Amendment to the Constitution of the United States, the power to regulate intrastate commerce is a power reserved to the states, as it is not enumerated as a power of the United States.

SECTION 3. Reserved Powers. – All foodstuffs, or products produced for the purpose of consumption as nutrition, food (fruit, vegetables, meat, and spices), vitamins, or supplements, that are produced in and remain within the borders of the State of North Carolina, to include the producers, the means of production, and the produce, shall fall solely under regulatory authority of the State of North Carolina and are not subject to federal regulation.

SECTION 4. Labeling. – In order to fall under the provisions of this act, the packaging of all foods and produce that are produced in and remain within the borders of the State of North Carolina shall be printed, stamped, or otherwise labeled "Made in North Carolina" or "Made in N.C."

SECTION 5. Enforcement Prohibited. – Public employees employed at the federal, State, or local levels, including, but not limited to, agents of the Federal Bureau of Investigation, Department of Homeland Security, Food and Drug Administration, State Bureau of Investigation, Highway Patrol, sheriff's departments, and municipal and county police departments may not within North Carolina enforce the provisions of the federal statutes upon foodstuffs and produce in intrastate commerce. Violation of this section is a Class 1A misdemeanor.

SECTION 6. The Governor and Attorney General each may enforce the provisions of this act in court by seeking injunctive and other relief.

SECTION 7. This act is effective when it becomes law.

