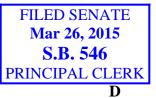
## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



## SENATE DRS45147-MG-79 (03/10)

Short Title:	Create Inspection Program/Venison Donations.	(Public)
Sponsors:	Senator Hartsell (Primary Sponsor).	
Referred to:		

1	A BILL TO BE ENTITLED
2	AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3	ESTABLISH REGULATIONS GOVERNING THE SANITATION OF DEER
4	PROCESSING ESTABLISHMENTS THAT MAKE CHARITABLE DONATIONS OF
5	VENISON FOR HUMAN CONSUMPTION TO FOOD BANKS AND OTHER
6	NONPROFIT ORGANIZATIONS.
7	The General Assembly of North Carolina enacts:
8	<b>SECTION 1.</b> G.S. 130A-39(b) reads as rewritten:
9	"(b) A local board of health may adopt a more stringent rule in an area regulated by the
10	Commission for Public Health or the Environmental Management Commission where, in the
11	opinion of the local board of health, a more stringent rule is required to protect the public
12	health; otherwise, the rules of the Commission for Public Health or the rules of the
13	Environmental Management Commission shall prevail over local board of health rules.
14	However, a local board of health may not adopt a rule concerning the grading, operating, and
15	permitting of food and lodging facilities as listed in Part 6 of Article 8 of this Chapter and as
16	defined in G.S. 130A-247(1), G.S. 130A-247, and a local board of health may adopt rules
17	concerning wastewater collection, treatment and disposal systems which are not designed to
18	discharge effluent to the land surface or surface waters only in accordance with
19	G.S. 130A-335(c)."
20	SECTION 2. G.S. 130A-138 reads as rewritten:
21	"§ 130A-138. Operators of restaurants and other food or drink establishments to report.
22	An operator of a restaurant or other establishment where food or drink is prepared or served
23	for pay, as defined in G.S. 130A-247(4) and (5), G.S. 130A-247, shall report information
24	required by the Commission to the local health director of the county or district in which the
25	restaurant or food establishment is located when the operator has reason to suspect an outbreak
26	of food-borne illness in its customers or employees or when it has reason to suspect that a food
27	handler at the establishment has a food-borne disease or food-borne condition required by the
28	Commission to be reported."
29	<b>SECTION 3.(a)</b> G.S. 130A-247(1) is recodified as G.S. 130A-247(3) and reads as
30	rewritten:
31	"(1)(3) "Establishment" means (i) an establishment that prepares or serves drink, (ii)
32	an establishment that prepares or serves food, (iii) an establishment that
33	provides lodging, (iv) a bed and breakfast inn, or-(v) an establishment that
34	prepares and sells meat food products as defined in G.S. 106-549.15(14) or
35	poultry products as defined in G.S. 106-549.51(26).G.S. 106-549.51(26), or
36	(vi) an establishment that processes and donates deer."



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	<b>SECTION 3.(b)</b> G.S. 130A-247(1a) is recodified as G.S. 130A-2	247(8).
	<b>SECTION 3.(c)</b> G.S. 130A-247(2) is recodified as G.S. 130A-24	
	<b>SECTION 3.(d)</b> G.S. 130A-247(3) is recodified as G.S. 130A-24	· · ·
	<b>SECTION 3.(e)</b> G.S. 130A-247(4) is recodified as G.S. 130A-24	. ,
	<b>SECTION 3.(f)</b> G.S. 130A-247(5) is recodified as G.S. 130A-24	7(6).
	<b>SECTION 3.(g)</b> G.S. 130A-247(5a) is recodified as G.S. 130A-2	47(1).
	SECTION 3.(h) G.S. 130A-247(6) is recodified as G.S. 130A-24	47(2).
	SECTION 3.(i) G.S. 130A-247(8) is recodified as G.S. 130A-24	7(11).
	SECTION 3.(j) G.S. 130A-247 is amended by adding a new sub	division to read:
	"(4) "Establishment that processes and donates deer" means an	establishment that
	processes and donates to nonprofit organizations in this S	tate fallow deer or
	red deer capable of use as human food."	
	SECTION 4. G.S. 130A-248 reads as rewritten:	
"	§ 130A-248. Regulation of food and lodging establishments.	
	(a) For the protection of the public health, the Commission shall add	pt rules governing
tl	he sanitation of establishments that prepare or serve drink or food for pay	
	hat prepare and sell meat food products or poultry products. However, any	
	repares or serves food or drink to the public, regardless of pay, shall	
-	rovisions of this Article if the establishment that prepares or serves food	
	ABC permit, as defined in G.S. 18B-101, meets any of the definitions in C	
	bes not meet the definition of a private club as provided in $G.S. 130A - 247(2)$	
		<u></u>
	(a6) For the protection of the public health, the Commission shall add	nt rules governing
ť	the sanitation of establishments that process and donate deer.	
	" "	
	<b>SECTION 5.</b> G.S. 130A-249 reads as rewritten:	
"	§ 130A-249. Inspections; report and grade card.	
	The Secretary may enter any establishment that is subject to t	he provisions of
C	G.S. 130A-248 for the purpose of making inspections. The Secretary shall	1
	ervice establishment at a frequency established by the Commission. $\underline{T}$	
	nspect each establishment that processes and donates deer at least	
	stablishing a schedule for inspections, the Commission shall consider	
	opulation served by the establishment and the type of food or drive	
	stablishment. The person responsible for the management or control of an	•
	ermit the Secretary to inspect every part of the establishment and shall	
-	ssistance necessary for the inspect every part of the establishment and shar	
	nd a card or cards showing the grade of the establishment with the respo	-
		-
	becretary shall post the grade card in a conspicuous place as determined by the may be readily observed by the public upon entering the establishment of	•
	t may be readily observed by the public upon entering the establishment of propagate inside but received and paid for outside the establishment	
	ood prepared inside but received and paid for outside the establishmen	<b>.</b> .
	windows or other delivery devices. If a single establishment has one or mo	
	ervice stations and an internal delivery system, that establishment shall	-
-	osted where it may be readily visible upon entering the establishment and o	-
	nay be readily visible in each delivery window or delivery device upon p	01
	utside the establishment. The grade card or cards shall not be removed by	anyone, except by
	r upon the instruction of the Secretary."	
0	<b>SECTION 6.</b> This act becomes effective October 1, 2015.	