

SENATE BILL NO. 2220

Introduced by

Senators Erbele, Christmann, Seymour

Representatives Froseth, F. Klein, Onstad

1 A BILL for an Act to amend and reenact section 36-24-01 and subsection 3 of section 36-24-10
2 of the North Dakota Century Code, relating to poultry inspections.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 36-24-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-24-01. Definitions.** In this chapter, unless the context otherwise requires:

- 7 1. "Adulterated" means a whole carcass, part of a carcass, or meat food product:
- 8 a. That bears or contains a poisonous or harmful substance that may render it
9 injurious to health;
 - 10 b. That bears or contains a chemical pesticide that is unsafe under the federal
11 Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.];
 - 12 c. That bears or contains a food or color additive that is unsafe under the federal
13 Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.];
 - 14 d. That contains a filthy, putrid, or decomposed substance or is for any other
15 reason unfit for human food;
 - 16 e. That has been prepared, packed, or held under unsanitary conditions;
 - 17 f. That is wholly or partly the product of an animal that has died in a manner
18 other than slaughter;
 - 19 g. The container of which is wholly or partly composed of a poisonous or harmful
20 substance that may make the contents harmful to health;
 - 21 h. That has been intentionally subjected to radiation, unless the use of the
22 radiation conformed with a regulation or exemption in effect under the federal
23 Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.];

- 1 i. That is damaged or inferior and that damage or inferiority has been
2 concealed; or
- 3 j. That has had a substance added to it or mixed or packed with it so as to
4 increase its bulk or weight, or make it appear better than or of greater value
5 than it is.
- 6 2. "Animal" includes cattle, swine, sheep, goats, farmed cervidae, llama, ~~ratite~~,
7 horses, equines, ~~and~~ other large domesticated animals, ~~not including~~ and poultry.
- 8 3. "Commissioner" means the agriculture commissioner.
- 9 4. "Container" includes a can, pot, tin, canvas, or other receptacle containing a meat
10 food product.
- 11 5. "Custom processing" means slaughtering, eviscerating, dressing, or processing an
12 animal or processing meat products for the owner of the animal or of the meat
13 products, if all meat products derived from the custom operation are returned to the
14 owner of the animal or of the meat products.
- 15 6. "Intrastate commerce" means commerce within this state.
- 16 7. "Meat food product" means a product usable as human food and made wholly or in
17 part from meat or a portion of an animal carcass. The term does not include any
18 product that contains meat or other portions of the carcasses of animals in a
19 relatively small proportion or which historically have not been considered by
20 consumers as a product of the meat food industry, and which is not represented as
21 a meat food product.
- 22 8. "Poultry" includes chickens, ducks, geese, pheasants, quail, ratites, and turkeys.
- 23 9. "Prepared" means slaughtered, canned, salted, rendered, boned, cut up, or
24 otherwise manufactured or processed.

25 **SECTION 2. AMENDMENT.** Subsection 3 of section 36-24-10 of the North Dakota
26 Century Code is amended and reenacted as follows:

- 27 3. A custom processor may not engage in the business of buying or selling whole
28 carcasses, parts of carcasses, or meat food products of animals, other than
29 poultry, usable as human food unless the whole carcasses, parts of carcasses, or
30 meat food products have been inspected and passed and are identified as

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1 inspected and passed by the commissioner or the United States department of
2 agriculture.