GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021

H.B. 863 May 4, 2021 HOUSE PRINCIPAL CLERK

H HOUSE BILL DRH10391-MH-18

Short Title: Hog Lagoon Sunset. (Public)

Sponsors: Representative Harrison.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PHASE OUT TRADITIONAL ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE FARMS; TO ESTABLISH MINIMUM HUMANE STANDARDS FOR THE TREATMENT OF COWS, POULTRY, AND SWINE; AND TO STUDY THE POTENTIAL REPORTING OF ANTIBIOTIC DRUG USE IN LIVESTOCK RAISED IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

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SECTION 1. Section 1(b) of S.L. 2007-523 reads as rewritten:

"SECTION 1.(b) Continued Operation. Phaseout. — An animal waste management system that serves a swine farm for which a permit was issued prior to 1 September 2007 and that does not meet the requirements of G.S. 143-215.10I, as enacted by subsection (a) of this section, may continue to operate under, and shall operate in compliance with, that permit, including any renewal of the permit.permit, until September 1, 2027. The owner or operator of an animal waste management system that employs a lagoon and sprayfield system that is phased out pursuant to this act shall close all of the components of the animal waste management system in compliance with all applicable federal and State laws, regulations, and rules. The phaseout required by this section shall not apply to an animal waste management system that is part of a waste-to-energy facility producing renewable energy from the animal waste."

SECTION 2. Chapter 106 of the General Statutes is amended by adding a new Article to read:

"Article 49I.

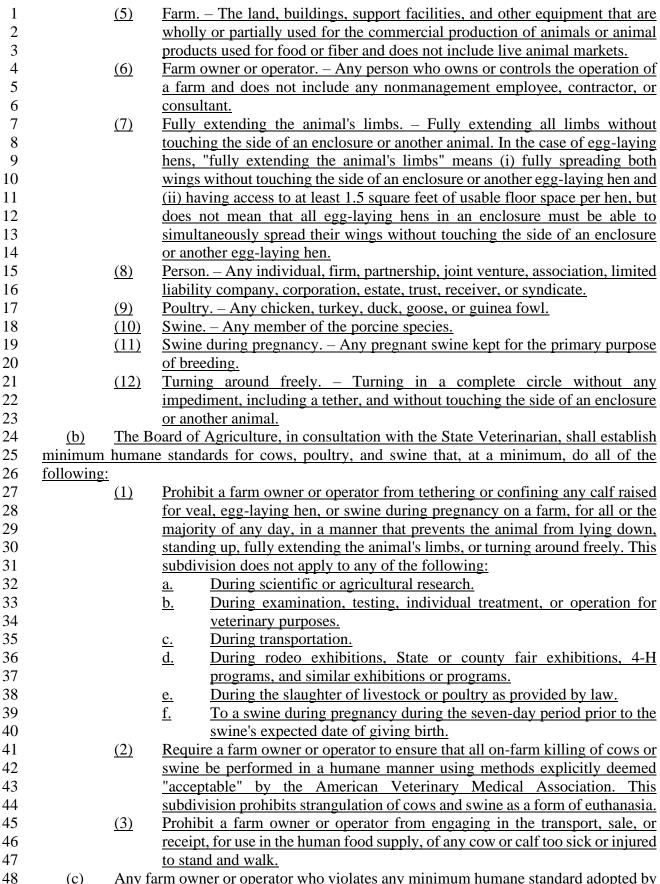
"Minimum Humane Standards for Certain Farm Animals.

"§ 106-549.100. Minimum standards to prevent the inhumane treatment of certain farm animals.

- (a) The following definitions apply in this section:
 - (1) Calf raised for veal. Any calf of the bovine species kept for the purpose of producing the food product described as veal.
 - (2) Cow. Any member of the bovine species, including calves.
 - (3) Egg-laying hen. Any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.
 - (4) Enclosure. Any cage, crate, or other structure, including what is commonly described as a "veal crate" for calves, a "battery cage" for egg-laying hens, or a "gestation crate" for swine, used to confine a calf raised for veal, an egg-laying hen, or a swine during pregnancy.



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(c) Any farm owner or operator who violates any minimum humane standard adopted by the Board pursuant to this section is guilty of a Class 2 misdemeanor."

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SECTION 3.(a) The Division of Public Health of the Department of Health and Human Services, with the cooperation of the Department of Agriculture and Consumer Services,

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shall study the use of antibiotic drugs in livestock production in the State. As part of its study, the Division and Department shall:

- (1) Examine the supply chain of antibiotic delivery to livestock raised in the State.
- (2) Determine which segment of the antibiotic supply chain (considering, but not limited to, the antibiotic manufacturer, owner of the animal, feed mill, or farm operator or owner) would provide the best estimate through reporting to the Division of Public Health of the types, amounts, application methods, reasons for use (including disease prevention, growth promotion, or disease treatment), and target livestock species of antibiotic use in the livestock industry operating in the State.
- (3) Conduct a survey in the three counties of the State with the highest densities of hog, poultry, dairy, and beef populations of operators or owners of livestock production facilities, owners of the animals, and the feed mills providing antibiotics for growth promotion, disease prevention, or disease treatment to the livestock. The survey shall provide an initial estimate of the types, amounts, application methods, and target species of antibiotic use in the raising of those livestock in the State.
- (4) Examine the occurrence and trends over the last decade of antibiotic resistance to antibiotics used in livestock production (as identified in the annual United States Food and Drug Administration Summary Report on Antimicrobials Sold or Distributed for use in Food-Producing Animals) in hospitals and within other appropriate medical facilities serving the populations within the 10 counties with the highest densities of livestock in North Carolina and the 10 counties with the lowest densities of livestock in North Carolina.

SECTION 3.(b) The Division of Public Health of the Department of Health and Human Services and the Department of Agriculture and Consumer Services shall jointly report their findings and recommendations developed pursuant to this section to the Joint Legislative Oversight Committee on Health and Human Services on or before January 1, 2022.

SECTION 4. Section 2 of this act becomes effective January 1, 2022. The remaining sections of this act are effective when it becomes law.

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