

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 311  
SENATE BILL 70

AN ACT TO REQUIRE THE INSPECTION OF OSTRICHES AND OTHER  
RATITES UNDER THE MEAT INSPECTION ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-549.15 is amended by adding a new subdivision to read:  
"(21a) 'Ratite' means a bird whose breastbone is smooth so that flight muscles cannot attach, such as an ostrich, an emu, and a rhea. These birds are subject to the provisions of this Article and Article 49C to the same extent as any other meat food product."

Sec. 2. G.S. 106-549.39 reads as rewritten:

**"§ 106-549.39. Hours of inspection; overtime work; fees.**

(a) Overtime Fees. – The Commissioner, or his agents, Commissioner shall is not be required to furnish meat inspection, as herein provided, inspection services during the following times unless the establishment under inspection pays the Department for the services: for more than eight hours in any one day, or in excess of 40 hours in any one calendar week or on Sundays or legal holidays except on payment to the Department by the operator of an establishment under inspection of an hourly fee for each hour of State meat inspection furnished over eight hours in any one day or in excess of 40 hours in any calendar week or on Sundays and legal holidays.

- (1) More than eight hours in a day.
- (2) More than 40 hours in a calendar week.
- (3) On a Sunday.
- (4) On a legal holiday.

The Commissioner may establish a fee at an hourly rate to be paid by an establishment inspected during the times listed above. The fee shall be credited to the Department as a departmental receipt and applied to the cost of inspecting the establishment.

(b) Ratite Fees. – The Commissioner shall may establish a fee at an hourly rate to be paid by an establishment preparing ostriches or other ratites as a meat food product. The fee shall be credited to the Department as a departmental receipt and applied to the cost of inspecting ostriches and other ratites. for such overtime at an amount sufficient to defray the cost of such inspection.

All fees received by the Department under this section shall be deposited in the general fund in the State treasury, credited to the Department of Agriculture account, and continuously appropriated to the Department for the purpose of administration and enforcement of this and the previous Article."

Sec. 3. This act is effective upon ratification.

1993. In the General Assembly read three times and ratified this the 9th day of July,

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives