



General Assembly

**Substitute Bill No. 5312**

February Session, 2016



**AN ACT CONCERNING MINOR CHANGES TO THE POULTRY DEALER LICENSING STATUTE, REGISTRATION OF POULTRY FLOCKS AND THE LABELLING OF FARM STAND EGGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 22-326s of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) As used in this section:

5 (1) "Commissioner" means the Commissioner of Agriculture.

6 (2) "Dealer" means [a producer who is a wholesaler, distributor or  
7 hauler of live poultry or hatching eggs or] any person, firm or  
8 corporation engaged in the business of (A) buying, receiving, selling,  
9 bartering, exchanging, negotiating or soliciting the sale, resale or  
10 exchange of live poultry or hatching eggs, or (B) the transportation,  
11 transfer or shipment of any live poultry or hatching eggs.

12 (3) "Hauler" means any person, firm or corporation that transports  
13 live poultry or hatching eggs from premises to premises, to a  
14 distributor, to a live bird market or to a dealer.

15 (4) "Live bird market" means a [facility at which live poultry or  
16 hatching eggs are congregated for sale or to be slaughtered and

17 dressed for sale to the public or restaurants or to be sold live for any  
18 purpose] retail establishment that sells live poultry directly to an end  
19 consumer or restaurant and that slaughters such live poultry on-site  
20 for such consumer or restaurant.

21 (5) "Poultry" means any species of domestic fowl, including, but not  
22 limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries,  
23 waterfowl and game birds raised for food production, breeding,  
24 exhibition or sale.

25 (6) "Producer" means any person, firm or corporation engaged in  
26 the breeding, raising or keeping of poultry for the purpose of food  
27 production, [hatching] table egg production or for [show or exhibition]  
28 showing or exhibiting such poultry.

29 Sec. 2. Section 22-322 of the general statutes is repealed and the  
30 following is substituted in lieu thereof (*Effective October 1, 2016*):

31 The owner of any flock of poultry [of one hundred fowls or more  
32 may apply to the Commissioner of Agriculture to have such flock  
33 examined, and may place it under the supervision of said  
34 commissioner, for the purpose of eradicating infectious and contagious  
35 diseases therein, and, if he complies with the regulations promulgated  
36 by said commissioner relating to the eradicating of any such disease,  
37 the commissioner or any assistant or agent appointed by him may  
38 make an examination and conduct blood or other tests of such flock,  
39 without expense to the owner except the pro-rata cost of laboratory  
40 tests as determined by the department of pathobiology at The  
41 University of Connecticut, with the approval of the commissioner.  
42 Such costs shall be collected by said department of pathobiology and  
43 may be waived by the commissioner when birds are owned by fanciers  
44 of poultry under the age of eighteen or over the age of sixty-five. Each  
45 fowl which reacts upon such examination or test shall be condemned,  
46 removed, destroyed or quarantined subject to the direction of the  
47 commissioner, his assistant or agent, and the premises occupied by any  
48 such fowl shall be immediately cleaned and disinfected by the owner

49 thereof, under the direction of the commissioner, his assistant or agent,  
50 at such owner's expense. The commissioner shall then issue to such  
51 owner a report or certificate of the condition of such flock in  
52 accordance with the findings upon such examination and test or tests.  
53 No person shall have any claim against the state for any fowl so  
54 condemned, removed, destroyed or quarantined. The commissioner  
55 shall publish annually, or more frequently if he deems advisable, a  
56 report of all flocks tested or examined. The owner of any flock of  
57 poultry of less than one hundred fowls may, subject to the foregoing  
58 provisions, apply to the commissioner to have such flock examined,  
59 tested and certified, provided the laboratory cost as determined in  
60 accordance with this section shall be borne by such owner. When any  
61 flock has been examined and accredited in accordance with the  
62 provisions of this section, no further examination or test shall be made  
63 of such flock by the commissioner or his assistant or agent, except at  
64 the owner's expense.] may register such flock with the Commissioner  
65 of Agriculture for the purpose of placing such flock in the National  
66 Poultry Improvement Plan program. The annual fee to register a flock  
67 of less than one hundred fowls shall be twenty-five dollars and for any  
68 flock of one hundred or more fowls, fifty dollars. The commissioner  
69 shall waive any such registration fee for flock owners who are eighteen  
70 years of age or younger. The owner of any registered flock shall be  
71 responsible for all laboratory fees charged for any testing necessary to  
72 comply with the National Poultry Improvement Plan program  
73 standards or to qualify such flock for an avian disease status. Nothing  
74 in this section shall be construed to apply to any flock tested solely to  
75 qualify for entry into fairs, shows or exhibitions. Whenever a flock fails  
76 to comply with the National Poultry Improvement Plan program  
77 standards or fails to qualify for an avian disease status, the owner of  
78 such flock shall not sell or offer for sale any poultry until such  
79 standards or status are met, as determined by the commissioner or the  
80 commissioner's designated agent. The commissioner may adopt  
81 regulations, in accordance with the provisions of chapter 54, to  
82 implement the provisions of this section.

83       Sec. 3. Section 22-323 of the general statutes is repealed and the  
84 following is substituted in lieu thereof (*Effective October 1, 2016*):

85       [No person shall sell or offer for sale any poultry or baby chicks as  
86 free from any such contagion or infection or eggs for hatching as from  
87 fowls free from any such disease, unless such poultry or eggs have  
88 been certified by said commissioner to be free from such disease or to  
89 be from fowls free from such disease, as the case may be.] No person,  
90 firm or corporation shall sell or offer for sale any live poultry or  
91 hatching eggs as being free of any particular avian disease or as  
92 participating in the National Poultry Improvement Plan program  
93 unless such person, firm or corporation is currently participating in,  
94 and in good standing with: (1) The National Poultry Improvement  
95 Plan program, as administered by the state of origin for such poultry  
96 or hatching eggs, or (2) an avian disease monitoring program  
97 administered by an animal health authority of the state or country of  
98 origin for such poultry or hatching eggs.

99       Sec. 4. Section 22-47 of the general statutes is repealed and the  
100 following is substituted in lieu thereof (*Effective from passage*):

101       (a) Producers selling eggs of their own producing direct to  
102 household users are exempt from the provisions of this part. All types  
103 of shippers selling eggs to a first receiver who will grade them into the  
104 proper size and grade before reselling are exempt from the provisions  
105 of this part.

106       (b) Notwithstanding the provisions of subsection (a) of this section,  
107 no producer shall falsely label any egg or offer for sale any egg that is  
108 adulterated, as defined in section 22-45.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-326s(a)
Sec. 2	<i>October 1, 2016</i>	22-322
Sec. 3	<i>October 1, 2016</i>	22-323

Sec. 4	<i>from passage</i>	22-47
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**ENV**      *Joint Favorable Subst.*