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

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

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 Subsection (a) of section 22-326s of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) As used in this section:

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

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

(3) "Hauler" means any person, firm or corporation that transports live poultry or hatching eggs from premises to premises, to a distributor, to a live bird market or to a dealer.
(4) "Live bird market" means a facility at which live poultry or hatching eggs are congregated for sale or to be slaughtered and dressed for sale to the public or restaurants or to be sold live for any purpose retail establishment that sells live poultry directly to an end consumer or restaurant and that slaughters such live poultry on-site for such consumer or restaurant.

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

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

Sec. 2. Section 22-322 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2017):

The owner of any flock of poultry of one hundred fowls or more may apply to the Commissioner of Agriculture to have such flock examined, and may place it under the supervision of said commissioner, for the purpose of eradicating infectious and contagious diseases therein, and, if he complies with the regulations promulgated by said commissioner relating to the eradicating of any such disease, the commissioner or any assistant or agent appointed by him may make an examination and conduct blood or other tests of such flock, without expense to the owner except the pro-rata cost of laboratory tests as determined by the department of pathobiology at The University of Connecticut, with the approval of the commissioner. Such costs shall be collected by said department of pathobiology and may be waived by the commissioner when birds are owned by fanciers of poultry under the age of eighteen or over the age of sixty-five. Each
fowl which reacts upon such examination or test shall be condemned, removed, destroyed or quarantined subject to the direction of the commissioner, his assistant or agent, and the premises occupied by any such fowl shall be immediately cleaned and disinfected by the owner thereof, under the direction of the commissioner, his assistant or agent, at such owner's expense. The commissioner shall then issue to such owner a report or certificate of the condition of such flock in accordance with the findings upon such examination and test or tests. No person shall have any claim against the state for any fowl so condemned, removed, destroyed or quarantined. The commissioner shall publish annually, or more frequently if he deems advisable, a report of all flocks tested or examined. The owner of any flock of poultry of less than one hundred fowls may, subject to the foregoing provisions, apply to the commissioner to have such flock examined, tested and certified, provided the laboratory cost as determined in accordance with this section shall be borne by such owner. When any flock has been examined and accredited in accordance with the provisions of this section, no further examination or test shall be made of such flock by the commissioner or his assistant or agent, except at the owner's expense. I may register such flock with the Commissioner of Agriculture for the purpose of placing such flock in the National Poultry Improvement Plan program. The annual fee to register a flock of less than one hundred fowls shall be twenty-five dollars and for any flock of one hundred or more fowls, fifty dollars. The commissioner shall waive any such registration fee for flock owners who are eighteen years of age or younger. The owner of any registered flock shall be responsible for all laboratory fees charged for any testing necessary to comply with the National Poultry Improvement Plan program standards or to qualify such flock for an avian disease status. Nothing in this section shall be construed to apply to any flock tested solely to qualify for entry into fairs, shows or exhibitions. Whenever a flock fails to comply with the National Poultry Improvement Plan program standards or fails to qualify for an avian disease status, the owner of
such flock shall not sell or offer for sale any poultry until such
standards or status are met, as determined by the commissioner or the
commissioner's designated agent. The commissioner may adopt
regulations, in accordance with the provisions of chapter 54, to
implement the provisions of this section.

Sec. 3. Section 22-323 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2017):

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

Sec. 4. Subsection (b) of section 22-6r of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(b) A farmer's kiosk at a certified farmers' market shall be
considered an extension of the farmer's business and regulations of
Connecticut state agencies relating to the sale of farm products on a
farm shall govern the sale of farm products at a farmer's kiosk except
that at such farmer's kiosk, no farmer shall falsely label any egg or
offer for sale any egg that is adulterated, as defined in section 22-45.
House Bill No. 7066

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