

## Nevada State Laws Affected by H.R. 4879

- I. Food
  - a. Food Safety
    - i. Date Label Laws
      - 1. These laws require and regulate “sell-by” date labels on food items. They are intended to promote both food quality and safety.
      - 2. Nev. Admin. Code 446.179
      - 3. Nev. Admin. Code 446.637
      - 4. Nev. Admin. Code 584.4321
    - ii. Sale of Expired Foods
      - 1. These regulations prohibit or restrict the sale of food items past their expiration date. Most of these laws apply generally to many types of food items and are intended to protect quality and safety.
      - 2. Nev. Admin. Code 446.181
  - b. Dairy
    - i. Date Labels
      - 1. These laws require milk or other dairy products be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers.
      - 2. Nev. Admin. Code 584.4321
  - c. Shellfish
    - i. Sourcing Requirements
      - 1. These regulations impose requirements on the sourcing of shellfish. Most often, they stipulate that molluscan shellfish received into the state through interstate commerce must be from sources approved by the Interstate Certified Shellfish Shippers List.
      - 2. Nev. Admin. Code 446.118
  - d. Mushrooms
    - i. Wild Mushroom Processing and Licensing
      - 1. These laws allow retail food establishments to sell mushrooms picked in the wild subject to certain conditions. Frequently, they require that mushrooms sold in the state be properly processed by a licensed processing plant in order to ensure they are safe for human consumption.
      - 2. NAC 446.129
  - e. Potentially Hazardous Foods
    - i. Date Labels
      - 1. These laws require date labels on potentially hazardous foods offered for sale. Potentially hazardous foods are defined as goods with the potential for rapid bacterial growth. Often, they include

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- foods that have been heat-treated and require temperature controls.
  - 2. Nev. Admin. Code 446.181
  - 3. Nev. Admin. Code 446.637
- f. Baby Food
  - i. Packaging with BPA
    - 1. These laws prohibit the sale of baby food in jars containing the additive bisphenol A (“BPA”) due to concerns about the chemical’s safety and adverse health impacts it may have on young children.
    - 2. NV ST 597.990
    - 3. McKinney's ECL § 37-0505
  - g. Cottage Food Production
    - i. Labeling, Production, and Restriction of Sale
      - 1. These laws place conditions or restrictions the production and sale of cottage foods—those foods not produced in a commercial kitchen but instead created in home kitchens or small-scale production facilities. They are intended to ensure that the food is safe and properly labeled.
      - 2. N.R.S. 446.866
- II. Alcohol
  - a. None
- III. Drugs
  - a. Tobacco
    - i. Fire Safety Standards
      - 1. These state laws require that any cigarettes offered for sale or sold in the state be tested in accordance with specific test methods and meet certain flammability standards. They are intended to reduce the risk of unintended fires caused by discarded cigarettes.
      - 2. Nev. Rev. Stat. Ann. § 477.192
      - 3. Nev. Rev. Stat. Ann. § 477.194
      - 4. Nev. Rev. Stat. Ann. § 477.198
- IV. Fishing
  - a. None
- V. Wood and Lumber
  - a. None
- VI. Home Goods and Products
  - a. Furniture and Bedding
    - i. Sterilization and Sanitation Requirements
      - 1. These laws impose cleaning and sterilization requirements on new or used bedding materials prior to sale. Some also regulate how chemicals such as formaldehyde may be used. These laws are

- intended to limit the spread of bacteria and the transfer of disease, as well as to ensure products are safe for consumers.
    - 2. Nev. Admin. Code 444.001
    - 3. Nev. Admin. Code 444.002
    - 4. Nev. Admin. Code 444.003
    - 5. Nev. Admin. Code 444.004
    - 6. Nev. Admin. Code 444.005
    - 7. Nev. Admin. Code 444.006
  - ii. Prohibited Products
    - 1. These regulations restrict the introduction or use of certain products or materials in bedding, pillow, mattresses or other stuffed materials. They are often intended to protect public health from potentially hazardous materials or other contaminants.
    - 2. Nev. Admin. Code 444.006
- VII. Live Animal Imports
- a. Birds
    - i. Avian Influenza and Newcastle Disease
      - 1. Highly Pathogenic Avian Influenza is a contagious virus most often spread by contact between infected and healthy birds (including wild birds). Humans also can contract this disease. The 2014-15 avian influenza outbreak required the destruction of 50 million birds costing the industry \$3.3 billion in losses. Similarly, Newcastle disease is a contagious viral bird disease affecting the poultry industry and wild avians that is transmissible to humans. States have imposed laws requiring testing, reporting, and regulating imports of poultry to control these diseases, that work in conjunction with federal restrictions.
      - 2. NAC 441A.085
  - b. Cattle and Bison
    - i. Anthrax
      - 1. Anthrax is an infectious bacterial disease often found in cattle and sheep that causes sudden death and is transmissible to humans. Most often, it is spread through exposure to the spores formed during the decay of deceased animals. Federal regulation prohibits the interstate movement of animals affected by anthrax. However, states impose further restrictions on the importation of animals that have been or may have been exposed to the disease.
      - 2. NAC 571.095
      - 3. N.R.S. 571.210
      - 4. [http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal\\_Disease/NV\\_Reportable\\_Diseases\\_Aug\\_2011.pdf](http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal_Disease/NV_Reportable_Diseases_Aug_2011.pdf)
    - ii. Brucellosis

1. Brucellosis is a contagious and costly disease typically affecting cattle, bison, cervids (elk and deer), and swine that also affects humans. It is a bacterial infection that spreads from animals to people most often through ingestion of unpasteurized milk, cheese, and other dairy products. All 50 states participate in a voluntary program with the federal government to control brucellosis in cattle, and many states impose additional regulations requiring testing, reporting, and regulating of imports.
  2. NAC 441A.475
- iii. Rabies
1. Rabies can occur in all warm-blooded animals and is always fatal if not treated promptly after exposure. All forms of livestock and companion animals are at risk for contracting the disease. Transmission often occurs through a bite from a rabid animal and as such the disease can travel between wild and domestic species. These laws prohibit the importation of animals exposed to rabies or impose additional restrictions to prevent the spread of this disease.
  2. NAC 571.095
  3. N.R.S. 571.210
  4. [http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal\\_Disease/NV\\_Reportable\\_Diseases\\_Aug\\_2011.pdf](http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal_Disease/NV_Reportable_Diseases_Aug_2011.pdf)
- c. Bees
- i. Import Requirements and Health Certifications
    1. These laws impose certification, permitting, or registration requirements prior to the movement of bees into the state. They are intended to ensure the health of bee colonies prior to import in order to protect the health of local bee populations and prevent the spread of disease.
    2. N.R.S. 552.212
- d. Horses
- i. Equine Infectious Anemia
    1. Equine Infectious Anemia (“EIA” or “Swamp Fever”) is a viral disease that is extremely contagious, spread through fly bites, and leads to severe, chronic disease or death. Federal regulations restrict the interstate movement of horses once they test positive for EIA but impose no testing requirement. States regulate the importation of horses, often requiring a negative EIA test prior to import.
    2. NAC 571.030
- e. Sheep and Goats
- i. Scrapie
    1. Scrapie is a fatal, degenerative disease that affects the nervous systems of infected sheep and goats. It is one of several

transmissible spongiform encephalopathies (“TSEs”)—which are related to bovine spongiform encephalopathy (“BSE” or “mad cow disease”) and chronic wasting disease in deer. Some states participate in the voluntary National Scrapie Eradication Program to test and destroy animals that test positive for scrapie. In addition, many states require negative testing or certification prior to importation.

2. NAC 571.060

f. Swine

i. Pseudorabies

1. Pseudorabies is an infectious, herpes-virus disease of the central nervous system that causes convulsions, intense itching, and is generally fatal. Some states participate in the voluntary Pseudorabies Eradication State-Federal-Industry Program which includes surveillance, herd certification, and herd cleanup once an animal tests positive. Additionally, many states require testing or certification prior to import.

2. NAC 571.050

ii. Swine Vesicular Disease

1. Swine vesicular disease causes lesions on the feet, snout, and mouth of swine, and is economically costly because it must be distinguished from foot-and-mouth disease. These laws restrict the importation of pigs to prevent the spread of swine vesicular disease.

2. NAC 571.095

3. N.R.S. 571.210

4. [http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal\\_Disease/NV\\_Reportable\\_Diseases\\_Aug\\_2011.pdf](http://agri.nv.gov/uploadedFiles/agrinvgov/Content/Animals/Animal_Disease/NV_Reportable_Diseases_Aug_2011.pdf)

VIII. Companion Animals

a. Dogs and Cats

i. Minimum Age at Sale

1. These laws restrict the sale of certain animals, most commonly dogs and cats, under a specific age. Often, these animals must be at least seven or eight weeks old and fully weaned prior to being offered for sale.

2. N.R.S. § 574.500

ii. Lemon Laws

1. These laws impose recordkeeping and other requirements on breeders and dealers who raise and sell dogs and cats commercially. Generally, they require certain assurances that the animal is healthy and require remedies if the animal is not. These regulations are intended to protect consumers from purchasing sick animals and to improve transparency as to their history and origin.

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2. N.R.S. § 574.450(1)
  3. N.R.S. § 574.460(1)
  4. N.R.S. § 574.470(1)
- IX. Products for Animals
- a. Pet Food
    - i. Requirements of Manufacturers
      1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
      2. Nev. Rev. Stat. Ann. § 587.865
- X. Dead Animals and Animal Parts
- a. None
- XI. Invasive Pests, Plants, and Disease
- a. None
- XII. Procurement
- a. Agricultural Goods
    1. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.
    2. N.R.S. 333.300
- XIII. General Prohibitions
- a. None
- XIV. Miscellaneous
- a. None