

## South Carolina 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. S.C. Code Ann. § 39-39-140
    - ii. Date Packaged, Produced, or Harvested
      - 1. These laws require manufacturers to indicate on items the date on which they were harvested, produced, or otherwise packaged and processed. They are intended to inform consumers as to freshness and quality.
      - 2. S.C. Code Ann. § 39-39-140
  - b. Eggs
    - i. Date Labels
      - 1. These laws require egg containers to be marked with a "sell-by" label to indicate the date by which the product should be sold to consumers
      - 2. S.C. Code Ann. § 39-39-140
  - c. Shellfish
    - i. Date Labels
      - 1. These laws require shellfish containers be marked with a “sell-by,” “best if used by,” or “date shucked” label to indicate to consumers when the product was packaged or the date by which it should be consumed.
      - 2. S.C. Code Ann. Regs. 61-47
    - ii. 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. S.C. Code of Regulations R. 61-25
  - d. Mushrooms
    - i. Sale of Wild Mushrooms
      - 1. These regulations impose identification requirements on the sale of mushrooms harvested from the wild. Often, they mandate that wild mushrooms must be positively identified by a mushroom identification expert in order to be sold for human consumption in order to protect the public from accidental poisoning caused by the ingestion of toxic mushrooms.
      - 2. S.C. Code of Regulations R. 61-25
    - ii. Wild Mushroom Processing and Licensing



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- a. None
- VI. Home Goods and Products
  - a. None
- 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. S.C. Code of Regulations R. 27-1011, 27-1014
    - 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. S.C. Code 1976 § 47-4-60
        - 3. S.C. Code of Regulations R. 27-1011
      - 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. S.C. Code of Regulations R. 27-1013
      - iii. Bovine Tuberculosis
        - 1. In the early 19th century, bovine tuberculosis caused more deaths of cattle than all other diseases combined. It is a chronic bacterial disease of cows that can spread to humans, typically by the inhalation of aerosols or the ingestion of unpasteurized milk. All 50 states participate in a voluntary program administered in

conjunction with the federal government requiring testing, quarantine, and destruction of diseased animals. In addition many states have enacted special legislation addressing the importation of cattle into the state.

2. S.C. Code of Regulations R. 27-1025
3. S.C. Code of Regulations R. 27-1013

iv. 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. S.C. Code of Regulations R. 27-1013
3. S.C. Code of Regulations R. 27-1011
4. S.C. Code 1976 § 47-4-60

v. Cattle Fever Tick

1. These laws impose restrictions on the importation of cattle from areas where cattle fever tick infestations have been known to occur as well as cows that may have been exposed to other animals or areas where the disease was present. Animals infected with cattle fever experience high fever, loss of red blood cells, enlarged organs, and ultimately, death. States impose these regulations to protect local cows, deer, horses, and other animals from the disease.

2. S.C. Code of Regulations R. 27-1013

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. Code 1976 § 46-37-10

ii. Disease Free Certification of Sale

1. These laws require certification that bees or bee equipment be free of disease, or confirmation that each has been sterilized prior to being offered for sale within the state. They are intended to protect local consumers and bee populations.

2. Code 1976 § 46-37-30

d. Horses

i. Equine Infectious Anemia

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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. S.C. Code 1976 § 47-13-1350
- 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. S.C. Code of Regulations R. 27-1013
  - ii. Scabies
    1. Scabies is a contagious skin infection caused by mites that afflicts various species of livestock including sheep, goats, and cattle. It causes itching, poor body condition, and hair loss. State regulations often impose sanitation requirements, certification, or other import restrictions, such as requirements that animals be given a dip treatment prior to entering the state.
    2. S.C. Code of Regulations R. 27-1013
- 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. S.C. Code of Regulations R. 27-1013
  - 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.

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2. S.C. Code 1976 § 47-4-60
3. S.C. Code of Regulations R. 27-1011
- g. Exotic Meats
  - i. Turtle
    1. These laws impose import conditions on live turtles. To the extent that imported turtles are raised for human consumption, as pets, or as livestock, they may be considered agricultural products. These laws are intended to prevent the spread of salmonella and other diseases, as well as to ensure safe handling processes.
    2. S.C. Code of Regulations R. 123-151.1
- VIII. Companion Animals
  - a. Dogs and Cats
    - i. 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.
      2. Code 1976 § 47-13-160(A)
- 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. S.C. Code Ann. § 46-27-210
      3. S.C. Code Ann. § 46-27-840
- X. Dead Animals and Animal Parts
  - a. None
- XI. Invasive Pests, Plants, and Disease
  - a. Citrus Trees
    - i. Citrus Greening Disease and the Asian Citrus Psyllid
      1. These laws impose quarantine requirements or other conditions on importation of nursery stock or other plants that may be carrying the psyllid or other vectors of the pathogen that causes citrus greening disease. The disease destroys the quality and production of citrus trees. Infected plants ultimately die. These laws are imposed in addition to federal requirements in order to protect local citrus producers and native tree populations.
      2. S.C. Code of Regulations R. 27-137
  - b. Peach, Plum, Apricot, Nectarine, and Almond Trees
    - i. Phony Peach Disease

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1. These laws impose quarantines on other import restrictions on plants or plant products that have been known to carry *Xylella fastidiosa*, the bacteria that causes phony peach disease. These regulations are intended to protect local fruit tree stocks and limit the spread of the disease that stops infected trees from bearing fruit.
  2. S.C. Code of Regulations R. 27-83
- c. Sweet Potatoes
- i. Sweet Potato Weevils
    1. These laws impose quarantines or other import conditions on the interstate movement of sweet potatoes or other host materials. They are intended to protect local crops from the pests that render infested crops bitter, odiferous, and inedible.
    2. S.C. Code of Regulations R. 27-61
- d. Cotton
- i. Boll Weevil and Pink Bollworm
    1. The boll weevil and pink bollworm are both insects that feed on cotton buds and seeds and led to the devastation of the cotton industry in the 1920's. These laws are intended to supplement federal regulations. They impose quarantines, restrict movement of products, and establish programs to treat all infected cotton with pesticides.
    2. SC ST § 46-10-100
    3. S.C. Code of Regulations R. 27-1099
- e. Various Other Plants
- i. European Brown Garden Snails
    1. The European brown garden snail is a plant feeder that is very destructive to host plants and readily transported on infested nursery stock. These laws impose restrictions such as inspection requirements, fumigation, quarantines, or bans of infected or potentially infected plants.
    2. S.C. Code of Regulations R. 27-5020
  - ii. Fire Ants
    1. Fire ants cause damage to both agricultural crops and nursery stock. They spread through soil, manure, on the roots of nursery stock, and on earth-moving equipment, principally in the South. These laws require inspections, certifications, and quarantines of soil, nursery stock, equipment, etc. to prevent the spread of this disease.
    2. S.C. Code of Regulations R. 27-121
    3. S.C. Code of Regulations R. 27-124
- f. Noxious Weeds
1. These laws augment and supplement the federal list of noxious weeds according to the concerns of a particular state. Some

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prohibit any importation of a plant or seedling, while others set maximum allowances for noxious weed seeds that may be intermixed with any other agricultural seed sold within the state. They are intended to inhibit the spread of undesirable plants and weeds throughout the United States.

### 2. S.C. Code of Regulations R. 5-584

## 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. Code 1976 § 11-35-1524

### b. Meat With Pink Slime

1. "Pink slime," also known as lean finely textured beef, is ammonia-treated scrap meat and connective tissue that is used as an additive in processed meats. The National School Lunch Program is a USDA program that offers schools the option to purchase meat with or without pink slime. Some school boards or departments of education prohibit its purchase for schools through regulatory policies.
2. South Carolina Department of Education.  
[https://www.postandcourier.com/politics/state\\_politics/no-pink-slime-in-school-lunch/article\\_d394ea63-05d8-5efc-B8c6-f2099b98552d.html](https://www.postandcourier.com/politics/state_politics/no-pink-slime-in-school-lunch/article_d394ea63-05d8-5efc-B8c6-f2099b98552d.html)

## XIII. General Prohibitions

### a. None

## XIV. Miscellaneous

### a. None