

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 223  
HOUSE BILL 446

AN ACT TO REQUIRE FEES THAT ARE IMPOSED FOR THE INSPECTION AND GRADING OF FARM PRODUCTS AND ARE COLLECTED UNDER AGREEMENTS WITH THE FEDERAL GOVERNMENT TO BE USED AS REQUIRED BY THE AGREEMENTS, AND TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF AGRICULTURE CONCERNING THESE AGREEMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-185 reads as rewritten:

**"§ 106-185. ~~Establishment of standard packages, etc., authorized.~~ Scope of Article; federal-State cooperation.**

(a) Scope. ~~The purpose of this~~ This Article is to give gives the Department of Agriculture the authority to investigate marketing conditions for and to establish and maintain standard ~~grades and packages~~ grades, packages, and State brands for farm ~~and horticultural crops and animal products.~~ The As used in this Article, the term 'farm products' as used hereafter in this Article shall be construed to mean any or all of the crops or products named above in this section. means farm crops, horticultural crops, and animal products.

(b) Cooperation. – The Commissioner of Agriculture may enter into agreements with the United States Department of Agriculture that require State and federal cooperation in performing the duties imposed by this Article."

Sec. 2. Article 17 of Chapter 106 of the General Statutes is amended by adding a new section to read:

**"§ 106-194.1. Farm Product Inspection Account.**

The Farm Product Inspection Account is established as a nonreverting account within the Department of Agriculture. Interest and other investment income earned by the Account shall be credited to it.

Fees collected under this Article shall be credited to the Account and applied to the costs of administering this Article. Fees credited to the Account from grading and inspection services provided under a cooperative agreement with the United States Department of Agriculture are subject to any restrictions on use set out in the cooperative agreement."

Sec. 3. Section 2 of this act becomes effective July 1, 1993. The remaining sections of this act are effective upon ratification. Fees collected under G.S. 106-190 and not expended as of July 1, 1993, shall be credited to the Farm Product Inspection Account established by G.S. 106-194.1, as enacted by this act.

In the General Assembly read three times and ratified this the 28th day of June, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives