



2015-2016 General Assembly

**SENATE BILL 770:  
North Carolina Farm Act of 2016, Sec.1:  
Provide the Department of Agriculture and  
Consumer Services with Enforcement Authority  
for the Program Governing Bedding Improperly  
Made, Sanitized, or Tagged**

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec.1 of S.L. 2016-113

**Date:** August 2, 2016  
**Prepared by:** Chris Saunders  
Staff Attorney

*OVERVIEW: Sec. 1 of S.L. 2016-113 grants the Department of Agriculture and Consumer Services (DACS) several new powers to enforce the DACS bedding sanitation program. This section grants DACS the authority to detain or embargo bedding products suspected of being adulterated or misbranded, and allows DACS to petition for the products to be condemned. This section also authorizes the Commissioner of Agriculture (Commissioner) to petition the superior court for an injunction and assess a civil penalty of not more than \$2,500 against a person in violation of the bedding laws. This section also makes a violation of the bedding laws a Class 2 misdemeanor. If a person receives written notice of a violation from the Commissioner and continues to violate the Article, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation.*

*This section becomes effective December 1, 2016, and applies to offenses committed on or after that date.*

Karen Cochran-Brown  
Director



Legislative Analysis  
Division  
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