

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to exemptions from certain regulation for small honey production operations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 437.001, Health and Safety Code, is amended by adding Subdivisions (1-a) and (7) to read as follows:

(1-a) "Beekeeper" has the meaning assigned by Section 131.001, Agriculture Code.

(7) "Small honey production operation" means a beekeeper that:

(A) produces less than 2,500 pounds of honey each year;

(B) sells or distributes the honey or honeycomb that the beekeeper produces either personally or with the help of the beekeeper's immediate family members; and

(C) only sells or distributes honey or honeycomb:

(i) that is produced from a hive that is:

(a) located in the state; and

(b) owned and managed by the beekeeper;

(ii) that is pure honey as defined by Section 131.001, Agriculture Code, and that is raw and not blended with any other product or otherwise adulterated; and

(iii) directly to consumers at the beekeeper's home, a farmer's market, a farm stand, or a municipal, county, or nonprofit fair, festival, or event.

SECTION 2. Chapter 437, Health and Safety Code, is amended by adding Sections 437.0197, 437.0198, and 437.0199 to read as follows:

Sec. 437.0197. EXEMPTION FOR SMALL HONEY PRODUCTION OPERATION. A small honey production operation is not a food service establishment for purposes of this chapter.

Sec. 437.0198. REGULATION OF SMALL HONEY PRODUCTION OPERATION PROHIBITED. A local government authority, including a local health department, may not regulate the production of honey or honeycomb at a small honey production operation.

Sec. 437.0199. LABELING REQUIREMENTS FOR SMALL HONEY PRODUCTION OPERATION. Honey or honeycomb sold or distributed by a small honey production operation must be labeled in accordance with Subchapter E, Chapter 131, Agriculture Code. The label must include:

(1) the net weight of the honey expressed in both the avoirdupois and metric systems;

(2) the beekeeper's name and contact information, including the beekeeper's address and telephone number; and

(3) the statement "Bottled or packaged in a facility not inspected by the Texas Department of State Health Services"

in:

(A) not less than 10-point font; and

(B) a color that provides clear contrast with the
color of the label.

SECTION 3. This Act takes effect September 1, 2015.