

By the Committee on Agriculture and Representative Bronson

1 A bill to be entitled
2 An act relating to animals and animal products;
3 amending s. 500.11, F.S.; specifying conditions
4 for misbranding of animal products; amending
5 ss. 570.50 and 570.51, F.S.; deleting powers
6 and duties of the Division of Food Safety of
7 the Department of Agriculture and Consumer
8 Services relating to certain animal and animal
9 product inspection; amending and transferring
10 ss. 585.89 and 585.92, F.S., to ch. 571, F.S.,
11 relating to prohibitions on purchase of beef
12 and pork, specifications for bid invitations,
13 penalties, and labeling requirements;
14 conforming provisions; amending s. 828.22,
15 F.S.; correcting a cross reference; amending s.
16 877.05, F.S., relating to the killing of young
17 veal for sale; conforming provisions; repealing
18 s. 205.1951, F.S., relating to the issuance of
19 a grant of inspection or a custom animal
20 slaughtering or processing establishment
21 permit; repealing part III of ch. 585, F.S.,
22 relating to animal and animal product
23 inspection and labeling; repealing ss.
24 828.23(5) and (6), 828.24, 828.25, and
25 828.26(2), F.S., relating to definitions of
26 terms "packer" and "stockyard," prohibited
27 acts, department administration, and penalties
28 pertaining to slaughter of livestock; repealing
29 s. 877.06, F.S., relating to labeling of beef
30 not slaughtered according to state or United
31 States standards; providing an effective date.

1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Paragraph (p) is added to subsection (1) of
4 section 500.11, Florida Statutes, to read:

5 500.11 Food deemed misbranded.--

6 (1) A food is deemed to be misbranded:

7 (p) If it is an animal product that fails to have
8 directly thereon or on its container the official inspection
9 legend as required by the United States Department of
10 Agriculture and, unrestricted by any other provision of this
11 section, such other information as the department may require
12 to ensure that it shall not have false or misleading labeling
13 and that the public shall be informed of the manner of
14 handling required to maintain the product in a wholesome
15 condition.

16 Section 2. Section 570.50, Florida Statutes, is
17 amended to read:

18 570.50 Division of Food Safety; powers and
19 duties.--The duties of the Division of Food Safety include,
20 but are not limited to:

21 ~~(1) Enforcing those provisions of chapter 585, and the~~
22 ~~rules adopted under that chapter, relating to the inspection~~
23 ~~of meat and the antemortem and postmortem inspection of~~
24 ~~poultry.~~

25 (1)(2) Conducting those general inspection activities
26 relating to food and food products being processed, held, or
27 offered for sale in this state and enforcing those provisions
28 of chapters 500, 501, 502, 503, 531, 583, ~~585~~, 586, and 601
29 relating to foods as authorized by the department.

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1 (2)~~(3)~~ Analyzing samples of foods offered for sale in
2 this state as required under chapters 500, 501, 502, 503, ~~585,~~
3 586, and 601.

4 (3)~~(4)~~ Investigating, evaluating, and developing new
5 or improved methodology to enhance the analytical capability
6 and efficiency of all divisional laboratories and performing
7 other related analyses as deemed necessary.

8 (4)~~(5)~~ Analyzing food and feed samples offered for
9 sale in the state for chemical residues as required under the
10 adulteration sections of chapters 500 and 580.

11 Section 3. Subsection (2) of section 570.51, Florida
12 Statutes, is amended to read:

13 570.51 Director; qualifications; duties.--

14 (2) The director shall supervise, direct, and
15 coordinate the activities of the division and enforce the
16 provisions of chapters 500, 501, 502, 503, 531, 583, ~~585,~~and
17 601 and any other chapter necessary to carry out the
18 responsibilities of the division.

19 Section 4. Sections 585.89 and 585.92, Florida
20 Statutes, are renumbered as sections 571.41 and 571.42,
21 respectively, designated as part III of chapter 571, Florida
22 Statutes, entitled "Miscellaneous," and amended to read:

23 571.41 ~~585.89~~ Beef and pork; prohibition on purchase;
24 bid specifications; penalty.--

25 (1) Fresh or frozen beef or pork that has not been
26 inspected by the United States Department of Agriculture ~~or~~
27 ~~the department~~ shall not be purchased, or caused to be
28 purchased, by any agency of the state or of any municipality,
29 political subdivision, school district, or special district
30 for consumption in this state or for distribution for
31 consumption in this state. Bid invitations issued by any

1 agency of the state or of any municipality, political
2 subdivision, school district, or special district for the
3 purchase of fresh or frozen beef or pork must specify that
4 only beef or pork inspected and passed by ~~either~~ the United
5 States Department of Agriculture ~~or the department~~ will be
6 accepted. The supplier or vendor shall certify on the invoice
7 that the fresh or frozen beef or pork or imported beef or pork
8 supplied is either domestic or complies with this subsection.

9 (2) All bid invitations for purchase of fresh or
10 frozen meats of any kind by any agency of the state or of any
11 municipality, political subdivision, school district, or
12 special district using state or local funds shall include the
13 words: " 'All American' and 'Genuine Florida' meats or meat
14 products shall be granted preference as allowed by Section
15 287.082, Florida Statutes."

16 (3) Any person who knowingly violates or causes to be
17 violated the provisions of this section shall be personally
18 liable to the affected public agency for any funds spent in
19 violation of the provisions of this section.

20 571.42 ~~585.92~~ All American and Genuine Florida meat or
21 meat products.--Each slaughterhouse or meatpacking or
22 processing plant in the state or other person vending any meat
23 or meat product, the meat of which is entirely produced in the
24 United States, may label such meat or meat product "All
25 American", and any such vendor selling any such meat or meat
26 product, the meat of which is entirely produced in the state,
27 may label such meat or meat product "Genuine Florida."

28 Section 5. Subsection (3) of section 828.22, Florida
29 Statutes, is amended to read:

30 828.22 Humane slaughter requirement.--

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1 (3) Nothing in this act shall be construed to
2 prohibit, abridge, or in any way hinder the religious freedom
3 of any person or group. Notwithstanding any other provision
4 of this act, in order to protect freedom of religion, ritual
5 slaughter and the handling or other preparation of livestock
6 for ritual slaughter are exempted from the terms of this act.
7 For the purposes of this action the term "ritual slaughter"
8 means slaughter in accordance with s. 828.23(5)(b)~~(7)(b)~~.

9 Section 6. Section 877.05, Florida Statutes, is
10 amended to read:

11 877.05 Killing young veal for sale; penalty;
12 exception.--Whoever kills or causes to be killed for the
13 purpose of sale, any calf less than 4 weeks old, and knowingly
14 sells, or has in his or her possession with intent to sell,
15 the meat of any calf killed when less than 4 weeks old, shall
16 be guilty of a misdemeanor of the second degree, punishable as
17 provided in s. 775.083. This section shall not apply to
18 calves slaughtered on the premises of meat packing or
19 slaughtering establishments operating under ~~state or~~ federal
20 meat inspection supervision.

21 Section 7. Sections 205.1951, 585.70, 585.71, 585.715,
22 585.72, 585.73, 585.74, 585.75, 585.76, 585.77, 585.78,
23 585.79, 585.80, 585.81, 585.82, 585.83, 585.84, 585.85,
24 585.86, 585.87, 585.88, 585.90, 585.902, 585.903, 585.904,
25 585.91, 585.93, 585.96, 828.24, 828.25, and 877.06, Florida
26 Statutes, and subsections (5) and (6) of section 828.23 and
27 subsection (2) of section 828.26, Florida Statutes, are
28 repealed.

29 Section 8. This act shall take effect upon becoming a
30 law.

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HOUSE SUMMARY

With respect to animals and animal products, specifies conditions for misbranding of animal products, repeals provisions relating to labeling and animal and animal product inspection by the Department of Agriculture and Consumer Services, and repeals certain provisions relating to department inspection of the slaughter of livestock.