

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Finance & Taxation offered the following:

Amendment (with title amendment)

On page 5, between lines 24-25 of the bill

insert:

Section 9. Paragraph (p) is added to subsection (1) of section 500.11, Florida Statutes, to read:

500.11 Food deemed misbranded.--

(1) A food is deemed to be misbranded:

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

Section 10. Section 570.50, Florida Statutes, is amended to read:

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1 570.50 Division of Food Safety; powers and
2 duties.--The duties of the Division of Food Safety include,
3 but are not limited to:

4 ~~(1) Enforcing those provisions of chapter 585, and the~~
5 ~~rules adopted under that chapter, relating to the inspection~~
6 ~~of meat and the antemortem and postmortem inspection of~~
7 ~~poultry.~~

8 (1)~~(2)~~ Conducting those general inspection activities
9 relating to food and food products being processed, held, or
10 offered for sale in this state and enforcing those provisions
11 of chapters 500, 501, 502, 503, 531, 583, ~~585,586~~, and 601
12 relating to foods as authorized by the department.

13 (2)~~(3)~~ Analyzing samples of foods offered for sale in
14 this state as required under chapters 500, 501, 502, 503, ~~585,~~
15 ~~586~~, and 601.

16 (3)~~(4)~~ Investigating, evaluating, and developing new
17 or improved methodology to enhance the analytical capability
18 and efficiency of all divisional laboratories and performing
19 other related analyses as deemed necessary.

20 (4)~~(5)~~ Analyzing food and feed samples offered for
21 sale in the state for chemical residues as required under the
22 adulteration sections of chapters 500 and 580.

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

25 570.51 Director; qualifications; duties.--

26 (2) The director shall supervise, direct, and
27 coordinate the activities of the division and enforce the
28 provisions of chapters 500, 501, 502, 503, 531, 583, ~~585,~~and
29 601 and any other chapter necessary to carry out the
30 responsibilities of the division.

31 Section 12. Sections 585.89 and 585.92, Florida

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1 Statutes, are renumbered as sections 571.41 and 571.42,
2 respectively, designated as part III of chapter 571, Florida
3 Statutes, entitled "Miscellaneous," and amended to read:

4 571.41 ~~585.89~~ Beef and pork; prohibition on purchase;
5 bid specifications; penalty.--

6 (1) Fresh or frozen beef or pork that has not been
7 inspected by the United States Department of Agriculture ~~or~~
8 ~~the department~~ shall not be purchased, or caused to be
9 purchased, by any agency of the state or of any municipality,
10 political subdivision, school district, or special district
11 for consumption in this state or for distribution for
12 consumption in this state. Bid invitations issued by any
13 agency of the state or of any municipality, political
14 subdivision, school district, or special district for the
15 purchase of fresh or frozen beef or pork must specify that
16 only beef or pork inspected and passed by ~~either~~ the United
17 States Department of Agriculture ~~or the department~~ will be
18 accepted. The supplier or vendor shall certify on the invoice
19 that the fresh or frozen beef or pork or imported beef or pork
20 supplied is either domestic or complies with this subsection.

21 (2) All bid invitations for purchase of fresh or
22 frozen meats of any kind by any agency of the state or of any
23 municipality, political subdivision, school district, or
24 special district using state or local funds shall include the
25 words: " 'All American' and 'Genuine Florida' meats or meat
26 products shall be granted preference as allowed by Section
27 287.082, Florida Statutes."

28 (3) Any person who knowingly violates or causes to be
29 violated the provisions of this section shall be personally
30 liable to the affected public agency for any funds spent in
31 violation of the provisions of this section.

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1 571.42 ~~585.92~~ All American and Genuine Florida meat or
2 meat products.--Each slaughterhouse or meatpacking or
3 processing plant in the state or other person vending any meat
4 or meat product, the meat of which is entirely produced in the
5 United States, may label such meat or meat product "All
6 American", and any such vendor selling any such meat or meat
7 product, the meat of which is entirely produced in the state,
8 may label such meat or meat product "Genuine Florida."

9 Section 13. Subsection (3) of section 828.22, Florida
10 Statutes, is amended to read:

11 828.22 Humane slaughter requirement.--

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

20 Section 14. Section 877.05, Florida Statutes, is
21 amended to read:

22 877.05 Killing young veal for sale; penalty;
23 exception.--Whoever kills or causes to be killed for the
24 purpose of sale, any calf less than 4 weeks old, and knowingly
25 sells, or has in his or her possession with intent to sell,
26 the meat of any calf killed when less than 4 weeks old, shall
27 be guilty of a misdemeanor of the second degree, punishable as
28 provided in s. 775.083. This section shall not apply to
29 calves slaughtered on the premises of meat packing or
30 slaughtering establishments operating under ~~state or~~ federal
31 meat inspection supervision.

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1 Section 15. Sections 205.1951, 585.70, 585.71,
2 585.715, 585.72, 585.73, 585.74, 585.75, 585.76, 585.77,
3 585.78, 585.79, 585.80, 585.81, 585.82, 585.83, 585.84,
4 585.85, 585.86, 585.87, 585.88, 585.90, 585.902, 585.903,
5 585.904, 585.91, 585.93, 585.96, 828.24, 828.25, and 877.06,
6 Florida Statutes, and subsections (5) and (6) of section
7 828.23 and subsection (2) of section 828.26, Florida Statutes,
8 are repealed.

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11 ===== T I T L E A M E N D M E N T =====
12 And the title is amended as follows:

13 On page 1, line 27

14

15 insert after the semicolon:

16 amending s. 500.11, F.S.; specifying conditions for
17 misbranding of animal products; amending ss. 570.50 and
18 570.51, F.S.; deleting powers and duties of the Division of
19 Food Safety of the Department of Agriculture and Consumer
20 Services relating to certain animal and animal product
21 inspection; amending and transferring ss. 585.89 and 585.92,
22 F.S., to ch. 571, F.S., relating to prohibitions on purchase
23 of beef and pork, specifications for bid invitations,
24 penalties, and labeling requirements; conforming provisions;
25 amending s. 828.22, F.S.; correcting a cross reference;
26 amending s. 877.05, F.S., relating to the killing of young
27 veal for sale; conforming provisions; repealing s. 205.1951,
28 F.S., relating to the issuance of a grant of inspection or a
29 custom animal slaughtering or processing establishment permit;
30 repealing part III of ch. 585, F.S., relating to animal and
31 animal product inspection and labeling; repealing ss.

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1 828.23(5) and (6), 828.24, 828.25, and 828.26(2), F.S.,
2 relating to definitions of terms "packer" and "stockyard,"
3 prohibited acts, department administration, and penalties
4 pertaining to slaughter of livestock; repealing s. 877.06,
5 F.S., relating to labeling of beef not slaughtered according
6 to state or United States standards;
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