

By Senator Lynn

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1 A bill to be entitled
2 An act relating to honey; amending s. 500.03, F.S.;
3 revising the definitions for "food establishment" and
4 "raw agricultural commodity" to exclude the packaging
5 or sale of honey from regulatory requirements relating
6 to food establishments; amending s. 500.12, F.S.;
7 exempting beekeepers who produce, bottle, and sell
8 their own honey directly to consumers from the
9 requirement to obtain a food permit; requiring the
10 Department of Agriculture and Consumer Services to
11 establish a workgroup to develop best-management
12 practices for bottling honey in a home environment;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraphs (n) and (y) of subsection (1) of
18 section 500.03, Florida Statutes, are amended to read:

19 500.03 Definitions; construction; applicability.-

20 (1) For the purpose of this chapter, the term:

21 (n) "Food establishment" means any factory, food outlet, or
22 any other facility manufacturing, processing, packing, holding,
23 or preparing food, or selling food at wholesale or retail. The
24 term does not include any business or activity that is regulated
25 under chapter 509 or chapter 601. The term includes tomato
26 packinghouses but does not include any other establishments that
27 pack raw agricultural commodities ~~fruits and vegetables in their~~
28 ~~raw or natural states, including those fruits or vegetables that~~
29 ~~are washed, colored, or otherwise treated in their unpeeled,~~

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30 ~~natural form before they are marketed.~~

31 (y) "Raw agricultural commodity" means any food in its raw
32 or natural state, including:

33 1. All fruits or vegetables that are washed, colored, or
34 otherwise treated in their unpeeled natural form before ~~prior to~~
35 marketing; and

36 2. Liquid, crystalline, or comb honey, or a mixture
37 thereof, which has been bottled in its raw natural state.

38 Section 2. Paragraph (a) of subsection (1) of section
39 500.12, Florida Statutes, is amended to read:

40 500.12 Food permits; building permits.—

41 (1)(a) A food permit from the department is required of any
42 person who operates a food establishment or retail food store,
43 except:

44 1. Persons operating minor food outlets, including, but not
45 limited to, video stores, that sell commercially prepackaged,
46 nonpotentially hazardous candy, chewing gum, soda, or popcorn,
47 provided the shelf space for those items does not exceed 12
48 linear feet and no other food is sold by the minor food outlet.

49 2. Persons subject to continuous, onsite federal or state
50 inspection.

51 3. Persons selling only legumes in the shell, either
52 parched, roasted, or boiled.

53 4. Persons selling sugar cane or sorghum syrup that has
54 been boiled and bottled on a premise located within the state.
55 Such bottles must contain a label listing the producer's name
56 and street address, all added ingredients, the net weight or
57 volume of product, and a statement that reads "This product has
58 not been produced in a facility permitted by the Florida

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Department of Agriculture and Consumer Services."

5. Beekeepers registered under chapter 586 who produce, bottle, and sell their own honey directly to consumers.

Section 3. The Department of Agriculture and Consumer Services is directed to establish a workgroup that includes representation from the Florida State Beekeepers Association, the University of Florida's Institute of Food and Agricultural Sciences, and registered beekeepers who produce less than \$15,000 per year in gross retail honey sales. The purpose of the workgroup is to develop common sense, best-management practices for small beekeepers and honey producers relating to bottling honey for retail sale in a home environment. The department shall prepare a report summarizing the progress and recommendations of the workgroup, which shall be published on the department's website by July 1, 2011.

Section 4. This act shall take effect July 1, 2010.