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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5147

03/25/2024 Authored by Pursell and Carroll The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act
1.2 relating to agriculture; specifying certain requirements for the labeling of food
1.3 consisting of honey and another sweetener; amending Minnesota Statutes 2022,
1.4 section 31.74.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 31.74, is amended to read:

1.7 31.74 SALE OF IMITATION HONEY.

1.8 Subdivision 1. Honey defined. As used in this section "honey" means the nectar and
1.9 saccharine exudation of plants, gathered, modified and stored in the comb by honey bees,
1.10 which is levorotatory, contains not more than 25 percent of water, not more than 25/100
1.11 percent of ash, and not more than eight percent sucrose.

1.12 Subd. 2. Prohibited sale. Notwithstanding any law or rule to the contrary, it is unlawful
1.13 for any person to sell or offer for sale any product which is in semblance of honey and which
1.14 is labeled, advertised, or otherwise represented to be honey, if it is not honey. The word
1.15 "imitation" shall not be used in the name of a product which is in semblance of honey
1.16 whether or not it contains any honey. The label for a product which is not in semblance of
1.17 honey and which contains honey may include the word "honey" in the name of the product
1.18 and the relative position of the word "honey" in the product name, and in the list of
1.19 ingredients, when required, shall be determined by its prominence as an ingredient in the
1.20 product.

1.21 Subd. 4. Food consisting of honey and another sweetener. Consistent with the federal
1.22 act, the federal regulations incorporated under section 31.101, subdivision 7, and the
1.23 prohibition against misbranding in sections 31.02 and 34A.03, the label for a food in

- 2.1 semblance of honey and consisting of honey and another sweetener must include but is not
- 2.2 limited to the following elements:
- 2.3 (1) a statement of identity that accurately identifies or describes the nature of the food
- 2.4 or its characterizing properties or ingredients; and
- 2.5 (2) the common or usual name of each ingredient in the ingredient statement, in
- 2.6 descending order of predominance by weight.