

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1346

By: Condit

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to honey sales; amending Section 2,
10 Chapter 20, O.S.L. 2013 (63 O.S. Supp. 2016, Section
11 1-1331), which relates to beekeepers exempt from
12 regulation and inspection; authorizing booth rental
13 fees of certain honey sales; prohibiting inspection
14 or inspection fees of certain honey sales; and
15 providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY Section 2, Chapter 20, O.S.L. 2013
18 (63 O.S. Supp. 2016, Section 1-1331), is amended to read as follows:

19 Section 1-1331. A. Beekeepers with annual production of less
20 than five hundred (500) gallons shall be exempt from regulation and
21 inspection by the State Department of Health for the manufacture,
22 sale, and distribution of honey and honeycomb products in Oklahoma
23 if they meet the following requirements:
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1 1. The beekeeper shall only sell or distribute honey or
2 honeycomb produced from hives located wholly within the State of
3 Oklahoma which are owned and managed by the beekeeper;

4 2. The honey, honeycomb, or combination thereof is raw and not
5 blended with other products or otherwise adulterated. The honey may
6 be in liquid or solid form or a combination of the two;

7 3. The honey or honeycomb shall only be sold or distributed in
8 person to the end-use customer at the beekeeper's home, farmer's
9 markets, roadside stands, county fairs, or similar events; by the
10 beekeeper or members of the beekeeper's immediate family; and

11 4. Honey products shall be labeled with the common food product
12 name, net weight of the honey, the beekeeper's name, current ten
13 (10) digit phone number, an address where the honey or honeycomb was
14 produced, and shall include the statement, "Bottled or packaged in a
15 facility not inspected by the Oklahoma Department of Health." The
16 statement shall be in 10-point type or greater in a color that
17 provides clear contrast to the background label.

18 B. No county, municipal corporation, consolidated government,
19 or political subdivision of this state shall adopt or continue in
20 effect any ordinance, rule, regulation, or resolution prohibiting,
21 impeding, or restricting honey sales or distribution in compliance
22 with this law. A county, municipal corporation, consolidated
23 government or political subdivision of this state is authorized to
24 charge a reasonable fee for the rental of booth space or for the

1 reservation of a space at a temporary retail food establishment
2 where honey is sold or distributed in compliance with this section
3 at a single event or celebration. A county, municipal corporation,
4 consolidated government or political subdivision of this state shall
5 not require an inspection of condition or wholesomeness of honey
6 sold or distributed pursuant to this section or charge a fee related
7 to an inspection.

8 SECTION 2. This act shall become effective November 1, 2017.

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10 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM,
11 dated 02/23/2017 - DO PASS, As Amended.

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